

Sam should be Big Brother, take our money, and invest it in government programs. She defines security by increased Washington spending.

Mr. Speaker, this afternoon at 2 o'clock we will enroll the bill from the legislative branch that offers tax relief and tax fairness for all Americans, reducing the marriage penalty, ending the inheritance tax, working for commonsense policies because, Mr. Speaker, our commonsense conservative majority rejects the politics of envy and fear and embraces the policies of opportunity.

One fundamental truth we understand in this majority, Mr. Speaker, the money belongs to the American people, not to the Washington bureaucrats.

#### THE REPUBLICAN TAX CUT

(Mr. SHOWS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SHOWS. Mr. Speaker, the Republican tax bill makes no sense. Rather than paying down the trillions of dollars in massive Federal debt, the Republican leadership offers pie in the sky election year tax cuts that will give most Americans nothing but pocket change.

But for years to come, this reckless plan will give all Americans higher interest rates and higher prices for everything we buy every day. Instead of paying down the debt, the Republican bill relies on questionable and partisan projections that their plan might reduce the debt.

We should put our fiscal house in order and pay our bills, just like any family or business would. We must reduce our debt so we can preserve social security and Medicare, benefits which so many Americans depend on. We should pass reasonable tax cuts that help working families and businesses, such as cuts in estate taxes and capital gains and marriage penalty taxes.

Americans want their leaders to lead. They want Congress to do the right thing.

□ 1015

#### 40TH ANNIVERSARY OF THE FREDERICK COUNTY BUILDERS ASSOCIATION

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, I would like to recognize a very special professional organization of which I was a member for a number of years, which is celebrating its 40th anniversary on Friday, September 17: The Frederick County Builders Association.

For 40 years, the Frederick County Builders Association has been a professional organization dedicated to pro-

viding the Frederick community quality building, especially home building. Very simply, they have been building our American dream.

Granted that is their bread and butter, but the Frederick builders also contribute greatly to almost 20 major community charitable endeavors, from the Boy Scouts and Girl Scouts, to the Catocin Zoo, to the YMCA. They put their professional know-how to good use with their various housing charities like Habitat for Humanity, our local Advocates for the Homeless, and the Interfaith Housing of Western Maryland.

The Frederick County Builders are made up of professionals who care about both their industry and our community, indeed a very special organization.

Happy 40th anniversary.

#### REASONS FEDERAL GOVERNMENT SHOULD SUPPORT SCIENCE

(Mr. EHLERS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. EHLERS. Mr. Speaker, I rise today to talk about something we do not discuss very much in the House of Congress, and that is our scientific effort in this Nation. I think it is important to point out as we are in the appropriations process some of the reasons why it is important for the Federal Government to support science.

First of all, over half of our economic growth today arises out of scientific research work done within the past 3 to 5 decades, over half of our economic growth just from that source alone. We are very pleased with our good economy. Let us recognize what the cause is and make sure we continue that effort.

Secondly, our scientific research results in a great improvement of the quality of life in this Nation, not just in all the good things we enjoy every day of our lives in various ways, but, for example, health care. Some of the major devices and methods used in improved health care today arise out of research that was taking place when I was a graduate student 40 years ago. That involves for example MRI, magnetic resonance imaging, the use of lasers in surgery, and other purposes, straight out of the laboratories of the times when I was in grad school.

It is imperative that we continue to support that research. Yet, when we passed the appropriation bill last week, we cut NASA by \$2 billion. We cut the National Science Foundation. Earlier, we cut the Department of Energy research program. We cannot do that.

As we proceed through the appropriations process, let us make sure that that money is restored, that we continue our research effort, and that we continue to provide the knowledge, the goods and services, and economic growth that we want in this country.

#### CONFERENCE REPORT ON S. 1059, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 288 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 288

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes. All points of order against the conference report and against its consideration are waived.

The SPEAKER pro tempore (Mr. EWING). The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Yesterday the Committee on Rules met and granted a normal conference report rule for S. 1059, the Fiscal Year 2000 Department of Defense Appropriations Act. The rule waives all points of order against the conference report and against its consideration. In addition, the rule provides for 1 hour of debate equally divided and controlled between the chairman and ranking minority member of the Committee on Armed Services.

Mr. Speaker, this should not be a controversial rule. It is the type of rule that we grant for every conference report we consider in the House. The conference report itself is a strong step forward as we work to take care of our military personnel and provide for our national defense.

I have always admired the patriotism and dedication of the young men and women in the armed forces, especially given the poor quality of life that our enlisted men and women face. But today, we are doing something to improve military pay, housing, and benefits.

It has always been kind of sad, we ask these young people to technically give up their life for their country, but yet we really have not treated them in the way that most of us would like to be treated. Their pay has not been good. They live in housing that has been virtually World War II almost, substandard housing in some cases. A lot of them have had to take second jobs just to exist because they are married and they cannot make it on their pay.

So we are helping to take some of this load off of them, and we are helping to take some of them off of food stamps with this bill by giving them a

4.8 percent pay raise. We have added \$258 million for a variety of health care efforts.

We are boosting the basic allowance for housing, as I said, increasing retention pay for pilots, which is another big problem we have had. We are having a very difficult time retaining good pilots in the military. We are prompting the GAO to study how we can do better.

But along with personnel, we have taken care of our military readiness. We live in a dangerous world today, and Congress is working to protect our friends and family back home from our enemies abroad.

We are providing for a national missile defense system, something that we have never had and that a lot of people think we have. A lot of people think we are protected if a warhead comes in from China or North Korea or Iraq or Iran, but, no, we are not. So with this bill, we are going to provide the beginnings of that protection for this country if that day ever comes.

In light of the recent news about security breaches at our weapons laboratories, we are creating a National Nuclear Security Administration to prevent enemy nations from stealing our nuclear secrets. We are boosting the military's budget for weapons and ammunition. We are providing \$37 billion for research and development so our forces will have top-of-the-line equipment for their job.

I urge my colleagues to support this rule and to support the underlying conference report because now more than ever we must improve our national security.

Mr. Speaker, I graciously yield such time as he may consume to the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. Mr. Speaker, I thank the gentlewoman from North Carolina for allowing me to speak at this point.

As my colleagues know, I am the ranking member of the Committee on Armed Services. From the beginning of this year, the very first hearing, I said that this should be the year of the troops. To the credit of the Committee on Armed Services, on a very bipartisan effort, it is the year of the troops.

We have had, as my colleagues know, serious recruiting problems and even more serious retention problems. I am not just talking about pilots; I am talking about young men and young women who have put several years into the military and decide to get out.

The old saying is, and it is so true, "you recruit soldiers" or in the case maybe Marines, sailors, airmen, "but you retain families." For instance, the Army has been cut some 36 percent, but the operational tempo has increased 300 percent. We are wearing the troops out.

I had breakfast about a year and a half ago with some noncommissioned officers of the United States Navy, and they told me about the dispirited attitude of the young men and women who work with them, the feeling that they

were not remembered. This bill is a tribute to them. This bill is one where truly we do remember them.

It is our job under the Constitution to raise and maintain the military and to write the rules and regulations therefor, and we have done a magnificent job. I am very proud of it. I am very proud of the bipartisanship. I am very proud of the effort made. I especially compliment the gentleman from South Carolina (Mr. SPENCE), our chairman, for his outstanding efforts.

This is a good bill. The Department of Energy portion that deals with nuclear weapons is under our jurisdiction. That has been a very important part of our effort.

To some, it will not meet with their full approval. But I think we took a giant step forward. I am for this bill, for the troops, for the families.

I might say, in addition to the pay raises, the pay raise, the pay tables, pension reform, we have done superb work for the barracks, family housing. I think it deserves great, great support.

Regarding the Department of Energy effort, I think it is good. Could it be better? Sure. But legislation is a matter of compromise. So I support the bill and all of its portions. I hope this rule will be adopted overwhelmingly because this is a major step in the national security of our country.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, let me state at the outset that it is my intention to support this conference report. The National Defense Authorization Act for Fiscal Year 2000 contains a number of provisions that are critical to the maintenance of our national defense forces. Most important among them is a 4.8 percent basic military pay raise and additional pay raises targeted to mid-grade officers and NCOs to improve retention and hopefully stem the loss of some of the best and brightest and most valuable members of our armed services.

The quality-of-life issues addressed in this package are, in a word, essential to the men and women who serve in uniform and to their families. As Members of this body point out repeatedly, it is unconscionable that service men and women should be paid at rates so low that they depend upon food stamps to feed their families, or the military housing is oft times decrepit or substandard.

This bill may not resolve all of those issues, but at least it puts us on the road to fixing a problem that cannot and should not be tolerated.

This conference report is not without controversy, however. The ranking member of the Committee on Commerce has raised some serious concerns about the provisions in the conference report, which establish a new National Nuclear Security Administration to manage DOE's weapons programs.

The gentleman from Michigan (Mr. DINGELL) is especially concerned that this provision was added in conference

over the objections of the Committee on Commerce and Committee on Science who have jurisdiction over this matter; and he has indicated that it is his intention to offer a motion to recommit to strike language from the conference report.

□ 1030

Members should listen very carefully to his arguments against these provisions which are opposed by the Secretary of Energy, the National Governors Association, and the National Association of Attorneys General. The gentleman from Michigan (Mr. DINGELL) will also voice strong objections to the process by which these provisions were included in this conference report. His views deserve the attention of the House, and I urge Members to pay close attention. There will, of course, be Members who will oppose his motion to recommit because they do not want to put any barriers in the path of the passage of this very good bill. His objections do not, however, lie against the remainder of the bill, and those provisions deserve the strong support of the House.

This conference report authorizes \$8.5 billion for military construction and military family housing programs. It authorizes full funding for a proposed program to construct or renovate over 6,200 units of military family housing, and the construction or renovation of 43 barracks, dormitories and BEQs for the single enlisted. The conference report also increases authorization amounts for procurement accounts to provide for a total of \$55.7 billion as well as for research and development to provide for a total of \$36.3 billion.

This increased funding will provide \$171.7 million for further development of the B-2 fleet, \$252.6 million to procure F-16C aircraft and \$319.9 million for F-16 modifications. In addition, the conference report commits to funding an acquisition of the critical next-generation air dominance fighter. It authorizes \$1.2 billion for research and development on the F-22 Raptor, \$1.6 billion for six low-rate initial production aircraft, and \$277.1 million for advanced procurement for 10 LRIP aircraft in fiscal year 2001. The conferees are to be congratulated for their support for this critical program.

I am also pleased that the conferees have included \$990.4 million for procurement of 12 V-22s and \$182.9 million for V-22 research and development and \$25 million to accelerate development of the CV-22 special operations variant. Mr. Speaker, this is a very good conference report. The conferees have brought us a bill which enhances quality of life for our men and women in uniform, a bill which protects core readiness and a bill which wisely and aggressively addresses the need to replace aging equipment and to find ways to keep our weapons systems second to none in the world. I commend this conference report to my colleagues.

Mr. Speaker, I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. GOSS).

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I thank the distinguished gentlewoman from North Carolina for her leadership on this and my gratitude for yielding me the time. I am pleased to support this very appropriate rule for consideration of S. 1059, the fiscal year 2000 DOD authorization conference report, a major piece of legislation for this Congress. I particularly want to commend the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) for their diligent, bipartisan, very thorough work to make sure that we significantly improve the support given to our men and women in uniform.

They are the ones doing the hard work. They are the ones in harm's way. They are the ones taking the risk. That deserves to be supported to the fullest extent possible. I am grateful for the continued close working relationship that these gentlemen have had with the Permanent Select Committee on Intelligence in ensuring that our fighting forces have access to the best, the most timely, and the most accurate intelligence that we can get. Eyes, ears, brains are actually very crucial to our national security.

This legislation reflects our commitment to those capabilities. Force protection, force enhancement, force projection: these are the results, these are the needs, and these are what we are getting. Americans most recently have watched our troops in action in Kosovo. You might have the impression from what I would call photo-op TV that Kosovo is some kind of a big win. Unfortunately, the view emerging from the ground in Kosovo is not quite so rosy.

Further, the administration is pursuing policies that could ultimately endanger the chances for a long-term peace and stability in that region in my view and the view of others. Official U.S. policy toward Kosovo is in fact built upon three very uncertain principles: one, Kosovo should remain an ethnically diverse province; two, Kosovo should not become independent; and, three, the Kosovo Liberation Army, the KLA, should give up its arms and disband. These principles face serious challenges in the field, on the ground.

U.S. policy refuses to recognize even the possibility that the Kosovars will eventually vote to declare independence from Yugoslavia. That is a possibility that should not be discounted. Similarly, the administration is naively assuming that the KLA will simply roll over and disband. In my view, the U.S. has no end game strategy. For the sake of the Americans and our allies on the ground in Kosovo, I urge the administration to rethink our situation there and base decisions on fact, not on wishful thinking.

Mr. Speaker, as a member of the Cox Committee, I am satisfied with the provision in this legislation establishing a semiautonomous agency to run the weapons program at the Department of Energy under the Secretary's leadership. Critics have suggested that this change could cause the sky to fall with respect to public health, safety, and environmental matters. To the contrary, I say.

The Cox Report demonstrates that the sky has already fallen and our national security has been placed at great risk as a result. Given the deeply troubling circumstances surrounding reports of espionage at our national labs, I believe it is very proper for Congress to move expeditiously in enacting new safeguards.

Mr. Speaker, I am very pleased that the conference report also includes a provision based on an amendment I offered with the gentleman from New York (Mr. GILMAN) requiring an end to the permanent presence of U.S. troops in Haiti. As our defense leaders have made clear, the Clinton administration's insistence on maintaining a permanent troop presence in Haiti has strained an already overburdened military, has unnecessarily put our troops at risk there, and has focused on humanitarian projects more appropriately undertaken by nongovernmental organizations who are ready, willing and able to do the job.

In the face of our efforts to force a withdrawal by year's end, the Clinton administration has finally announced an end to the permanent presence of U.S. troops in Haiti, to be replaced with periodic deployments as needed, as is customary everywhere else in the Western Hemisphere. This action does not, I repeat, does not signal an end to U.S. military involvement or to U.S. support for the democratic process in Haiti but, rather, it is a more realistic policy to provide the help Haiti so desperately needs as our neighbor in the Caribbean.

Lastly, Mr. Speaker, Members should note that this legislation contains a significant increase in counterdrug funding for DOD. Once again, Congress has taken the lead to win the war on drugs, filling the vacuum left by a just-say-maybe message from the Clinton administration. And we are getting results, if you read the papers. This is a good bill. I urge its passage. I commend those involved.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. SISISKY).

Mr. SISISKY. I thank the gentleman from Texas for yielding me this time.

Mr. Speaker, I rise in strong support of S. 1059, the National Defense Authorization Act for fiscal year 2000 and, of course, the rule. I would like to take a few minutes to tell our colleagues why.

First, I am pleased to report that in my opinion members were treated equitably. Members on our side of the aisle were given the same consider-

ation as members on the other side. That is not to say everybody got everything they wanted. They did not. Neither did I.

Second, this conference report builds on the President's proposal to increase defense spending by \$112 billion over the next 6 years. To redress shortcomings in recruiting and retention, this bill provides a 4.8 percent pay raise, pay table reforms for middle grade personnel and retirement reform in what may be the best compensation package for our military since the 1980s. The bill also addresses the budget shortfalls that have dogged the weapons research and development and procurement programs of the Department of Defense. In fact, by providing \$4.6 billion in increases for weapons, related research and development and procurement, I believe we may have turned the corner and begun the long, steady recovery that is both needed and overdue. Particularly noteworthy is the emphasis on precision stand-off weapons that reduce risks to our troops and, at the same time, risks to innocent civilian populations.

Third, I am particularly pleased that we have rejected the status quo and begun the long and difficult task of management and accountability reforms for the national security functions of the Department of Energy. In my opinion, there is no disagreement as to whether such reforms are needed, and to delay starting the reform process while waiting on unanimity or drafting perfection would in my opinion be irresponsible. Admittedly, the provisions proposed in this conference report are not perfect, nor does everyone agree. But, on balance, they are a good first start on what will prove to be a long and difficult process in the years ahead.

More importantly, there is nothing in this bill that would amend existing environmental, safety and health laws or regulations, nor is there any intent to limit the States' established regulatory roles pertaining to the Department of Energy operations and ongoing cleanup activities. Thus, I do not believe the DOE reform provisions are antienvironmental nor do I believe they should be used as the basis for rejecting this conference report.

Finally, our naval forces have shrunk from nearly 600 ships in 1987 to 324 ships today. At the same time, the number of missions for these ships have increased threefold. Worse, the administration's budget would lead to a 200 ship Navy, well below the force level of 300 ships called for by the Nation's military strategy. This bill allows the Navy to dedicate more of its scarce shipbuilding dollars to the construction of needed warships by providing significantly more cost-effective acquisitions through the following measures:

The early construction of an amphibious ship for the Marines at a great price; procurement for the final large, medium speed roll-on/roll-off ship,

LMSR, before the line closes; cost-saving expanded multiyear procurement authority for the DDG-51 destroyer program; long-term lease authority for the services of new construction, non-combatant ships for the Navy; and expanded authority for the National Defense Features program to allow DOD to pay reduced life-cycle costs of defense features built into commercial ships up-front.

Mr. Speaker, we all know that bills are compromises, and that good bills make good promise compromises. S. 1059 is such a bill. It is a balanced bill with good compromises. In the strongest terms, I urge the adoption of the conference report.

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. HAYES).

Mr. HAYES. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding me the time and I thank the gentleman from Virginia for pointing out a number of the important issues and details that are what this bill and conference report are about.

I rise in very, very strong support of our rule, of our military, and of this bill. The gentleman from Virginia and I just returned from a trip where we went to, among other places, North Korea. If our citizens in the Eighth District, home of Fort Bragg, would look at a city whose tallest buildings have missiles on top of them, where our Air Force base has patriot missile batteries on the ready 24 hours a day, where 14,000 pieces of artillery are trained on the South, 80 percent of which are aimed at Seoul only 40 kilometers away from the demilitarized zone, if they could see in the eyes of the young men and women who are standing face to face with the North Koreans every day as a deterrent to terrorism and rogue nations, there would be no question in their mind as to our continued and increased support for the military.

Kosovo and Bosnia have brought to our attention the need to correct imbalances and deprivations that the military has suffered because of budget shortfalls in recent years. This authorization is more than \$8 billion over the administration's request, and an additional \$18 billion over a greatly reduced budget for defense in 1999. The gentleman from Missouri (Mr. SKELTON) and members of both parties have worked diligently, courageously and with much forethought to rebuild our military. That is what this rule is about. We have a volunteer force. We should maintain a voluntary and not a draft force. In order to do that, we must do things that are included in this bill, increasing pay, improving health care benefits, restoring REDUX, doing things that we owe to our military to correct years of neglect.

□ 1045

This bill beefs up and strengthens areas that have been eroded over a number of years. It addresses major

issues that the gentleman from Virginia (Mr. SISISKY) has mentioned, but it also deals with such basics as ammunition and spare parts. So this is a broad-based, common-sense, very necessary piece of support for our men and women in uniform. In order for them to maintain the superiority, the commitment and to provide the protection for a world that is very, very dangerous, we should support them by unanimously passing this rule and this bill. They protect us; we need to support them.

Mr. FROST. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. DINGELL).

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, this is a rule which sanctifies bad behavior. There was no real conference held on this legislation. Members of the conference who were entitled to be present to participate were not invited and were informed when they showed up that there was no conference to be held, the matter had been disposed of, and that we could simply go our way.

Now let us look at what the rule does. The rule waives points of order on two things: One, germaneness and the other, scope of the conference. In each instance the conferees, without holding a meeting, contrived to concede the House rules on both points, so now they need a waiver. Why do they need a waiver? They need a waiver because they wrote something which is not germane, which was never considered in either body and which exceeds the scope of the conference.

Now I want to express respect for my friend, the gentleman from Missouri (Mr. SKELTON) who is a very decent and honorable Member of this body, but I want to say that what has been done here is, first of all, an outrage, and it is a gross abuse of the powers of the committee and a gross disregard to the rights both of other committees and of this body to know what is going on and to have an input into a matter of important concern.

Now let us talk about the substance. This proposal in its title 32 recreates essentially the Atomic Energy Commission, one of the most secretive, one of the most sneaky, and one of the most dishonest agencies in government. They lied to everybody, including themselves, and the Congress of the United States, the Executive Branch. They suppressed tracks, and they have created in every area over which they had jurisdiction a cesspool, environmentally and otherwise. The areas which they had jurisdiction over drip hazardous waste and are contaminated beyond belief. Mixed wastes, high-level and low-level nuclear wastes contaminate these areas because of the fact that they diligently suppressed all facts with regard to what they were doing and how they were doing it, and I will be glad to discuss in greater detail because I do not have time now the behavior of that agency.

We are now setting up an entity which will be totally exempt from the supervision of the Secretary and which will be totally exempt from the supervision of this body. What they are going to do is to create a situation where now they can lie in the dark, as they did before in the days of the Atomic Energy Commission, and efforts to control this agency will be brought to naught by the absolute power that is being invested in them to suppress the facts to everyone.

Now who is opposed to this? First of all, every environmental agency and every environmental organization; second of all, the administration; third of all, the National Governors' Association; and fourth of all, the Organization of Attorneys General, 46 of whom sent us a letter denouncing what is being done here with regard to State, Federal environmental laws and the splendid opportunity for severe and serious misbehavior by this new entity.

If my colleagues want to vote for the good things in the bill; and there are many good things, I supported this bill: pay raises and other things which would benefit us in terms not only of our concern for our military personnel, but also our concern for seeing to it that our defense needs are met; vote for the motion to recommit because the only thing it does is to strike title 32. The rest that it keeps are the good things that are in this legislation.

So I offer my colleagues a chance to undo what was done in a high-handed arrogance by the committee and in a rather curious and remarkable and unjustifiable rule, one which is going to deny everybody in this country an opportunity to know what is going on inside that agency.

Now if we are talking about security, let me just tell my colleagues that the security of the AEC stunk. I was over in a place called Arzamas-16, the place where the Russians made their nuclear and thermonuclear weapons. I saw there a bomb that looked exactly like the bomb the United States dropped on Hiroshima. I told the guy: That looks familiar. They said it is an exact copy of the bomb that was dropped in Hiroshima. So when they tell us that the recreation of the secrecy and the inbredness of the AEC and the secretiveness that this legislation will authorize is going to assure the national security, do not believe them. History is against it, and I would just ask my colleagues to understand the secrecy that they are talking about is not against the Russians or against anybody else. It is secrecy which they intend to use to prevent my colleagues, and I, and the Members of Congress, the Members of the Senate from knowing what is going on down there. If my colleagues want to see to it that we continue our efforts to protect the security of the United States, to see to it that things are done which need be done in terms of protecting the security interests of the United States, they can vote for my amendment and

should, but if they want to protect the environment, then they you must vote for my amendment.

Mrs. MYRICK. Mr. Speaker, I yield 8 minutes to the gentleman from Texas (Mr. THORNBERRY), my colleague.

(Mr. THORNBERRY asked and was given permission to revise and extend his remarks.)

Mr. THORNBERRY. Mr. Speaker, I share the respect that all Members of this House have for the dean of the House, and I always appreciate his willingness to stand up for what he believes in, as we recently saw when he led efforts to oppose gun control despite the sentiments of most of his party. As much as anyone in this body, the gentleman from Michigan is responsible over the years for the management structure of the Department of Energy, and he does not want to see that changed, and I think we can all understand someone coming from that position. But study after study, report after report, have reached a different conclusion. As a matter of fact, I know of at least 20 studies, reports and in-house reviews in the Department of Energy that have all found that the Department of Energy management structure is a mess and hurts our security, safety, and national security.

I point to the President's own study which came out just this summer conducted by his foreign intelligence advisory board, and they concluded, quote, DOE's performance throughout its history should be regarded as intolerable, and they also found, quote, the Department of Energy is a dysfunctional bureaucracy that has proven incapable of reforming itself, end quote. Now what they went on to say is we can do one of two things. One is that we can take all the nuclear weapons program completely out of the Department of Energy and set up a whole new agency, or we can create a semi-autonomous agency inside DOE with a clear chain of command and hope to solve some of these problems. This conference report takes the President's own commission's recommendations and implements them down to the letter.

Now what that does is it gives the nuclear weapons agency two things that it has never had under DOE. One, it has a clear focus on its mission so that the same people who worry about refrigerator coolant standards and solar power and electricity deregulation day to day are not going to be interfering in the nuclear weapons work.

Secondly, it provides accountability so that we have for the first time a clear chain of command so that when an order is given it is followed; and if somebody messes up, they are held responsible and we can get rid of them. And that is one of the most important safeguards we can have to protecting the environment, to having a clear line of accountability and safeguards.

The gentleman from Michigan says, oh, this just goes back to the old Atomic Energy Commission. I would

say that no more will we ever go back to some of the problems of the past any more than we are going to go back to pouring motor oil out on the ground or we are going to go back to allowing cars to create all the smog that they can create. We are not going to, and I personally, Mr. Speaker, am offended by the suggestion that the people who work at the Pantex plant in my district, who live in the area, whose children go to school in that area, are going to be so careless in disregarding the safety of the drinking water and the other things in that area that they are just going to pollute willy nilly.

Now I think there are some important points to be made on the environment. Number one, this bill says that every single standard, environmental standard, that applies before the bill applies after the bill; it does not change.

Secondly, this bill says that the Secretary of Energy can set up whatever oversight he wants by whoever he wants, and they can look at every single thing that goes on throughout the weapons complex, and they can make whatever policy recommendations they want to make, and the Secretary of Energy can order anything to happen dealing with the environment or any other subject. The only change is that these oversight people, unless they are within the new agency, cannot order things to be changed, they cannot implement the directions. Policy can be set by anybody that the Secretary wants, but the implementation goes down the clear chain of command.

Some of the concerns that have been raised to this bill have been by some attorneys general who are worried about some new court challenge on matters that have been already established under court rulings. Let me make it clear, this bill does not change any of the waivers of sovereign immunity that the attorneys general have been concerned about; and there is a letter that will be made part of the RECORD later in which the chairman of our committee and the chairman of the Senate committee clearly say we are not changing one single environmental standard. And I would also put as part of the RECORD at that time a letter from the attorney general of Texas who once he had a chance to look at the actual legislation and what the real intent is says he no longer has any concerns or objections, and I would suggest that if my colleagues have a chance to talk to all the attorneys general and tell them what is really going on, that any of those concerns certainly melt away.

Mr. Speaker, I just make two final points. Number one is that we have all been embarrassed and dismayed and shocked at the security headlines which we have seen across the papers this year. For us to walk away and say we cannot do anything about it, it is too complicated, we are just going to let DOE roll along its merry way, is an abdication of our responsibility to fix

one of the greatest national security problems with which we have been confronted.

The second point I would like to make is this: The gentleman from Michigan's motion to recommit is not like an ordinary bill. It is a conference report. The only effect of the motion is to require us to open the conference back up. That means everything in the conference from the pay raise to the retirement reform to the V-22 to whatever my colleagues care about in this bill is jeopardized because we have got to open everything back up, go back into negotiations with the Senate, and all of the wonderful strides to improve our national security are threatened by the motion to recommit.

So I would suggest that it is our responsibility to fix DOE, it is our responsibility to make sure this bill goes forward unimpeded and to vote against the motion when it is offered.

OFFICE OF THE ATTORNEY GENERAL,

State of Texas, September 15, 1999.

Hon. FLOYD D. SPENCE, Chairman,

House Armed Services Committee,

Congress of the United States, Washington, DC.

Hon. JOHN WARNER, Chairman,

Senate Armed Services Committee,

Congress of the United States, Washington, DC.

DEAR CONGRESSMAN SPENCE AND SENATOR WARNER: I have received a copy of your September 14, 1999 letter to Michael O. Leavitt and Christine O. Gregoire addressing concerns regarding the impact of Title XXXII of S. 1059, the conference report for the National Defense Authorization Act (NDAA) for Fiscal year 2000, on the safe operation and cleanup of Department of Energy (DOE) nuclear weapons sites.

Your letter addresses my two principal concerns with Title XXXII of S. 1059:

That this legislation not supercede, diminish or set aside existing waivers of federal sovereign immunity; and that it be clear that under Title XXXII the National Nuclear Security Administration (NNSA) will comply with the same environmental laws and regulations to the same extent as before the reorganization.

After reading your letter, I am satisfied that this legislation was neither intended to affect existing waivers of federal sovereign immunity nor to exempt in any way the NNSA from the same environmental laws and regulations as applied before reorganization.

I also have been advised that your letter will be made part of the legislative history of Title XXXII of S. 1059 by being submitted during the conference debate on this legislation, thus being made part of the Congressional Record. As such, this letter will provide confirmation that this legislation leaves unaltered existing waivers of federal sovereign immunity as well as existing environmental laws and regulations.

Given the explanations made in your September 14, 1999, letter as well as the submission of your letter as part of the Congressional Record to be included in the legislative history of this statute, I have no continuing objection to this legislation. I appreciate your efforts to make the intent of Title XXXII of S. 1059 clear. Please do not hesitate to contact me if you have any further questions.

Sincerely,

JOHN CORNYN,  
Attorney General of Texas.

Mr. FROST. Mr. Speaker, I yield 1½ minutes to the gentlewoman from California (Ms. SANCHEZ).

Ms. SANCHEZ. Mr. Speaker, as a Member of the House Committee on Armed Services, I rise in strong support of the national defense authorization conference report, and I would like to thank the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) and of course the staff of the committee for all the hard work that they put into this conference report. The report addresses the quality of life, the readiness and the modernization shortfalls that the men and the women in our Armed Forces are currently facing. The report also addresses the important issue of domestic violence in the military.

Mr. Speaker, as we all know, one occurrence of domestic violence is one too many, and unfortunately reports show that in 1994 in every 1,000 marriages 14 spouses were the victims of spouse abuse, and I am pleased that the conferees from both Chambers worked in a bipartisan manner to address this important issue. The language in the conference report gives the services the opportunity to take on the crime of domestic violence and to protect victims of domestic violence as they never have before. It gives the Department of Defense and the services the opportunity to develop relationships with non-military victims' community and to draw on the expertise of local domestic violence organizations to aid in designing their own programs.

Mr. Speaker, I encourage my colleagues to vote yes on the conference report.

□ 1100

Mrs. MYRICK. Mr. Speaker, I yield 4 minutes to the gentleman from California (Mr. HUNTER).

Mr. HUNTER. Mr. Speaker, I thank the gentlewoman from North Carolina (Mrs. MYRICK) for yielding me this time.

Mr. Speaker, I think every Member should be proud to vote for this conference report. I think this report is a great manifestation of our ability to work in a bipartisan manner and do something that is important for the country, and I want to thank the gentleman from Missouri (Mr. SKELTON) and the gentleman from Virginia (Mr. SISISKY), my counterpart on the Subcommittee on Military Procurement, and all the Members, Democrat and Republican, who worked on this particular piece of legislation, because today we live in a very dangerous world. That is extremely clear now.

China is trying to step into the superpower shoes that have been left by the Soviet Union. Terrorism is becoming more deadly, more technologically capable, and we are seeing new challenges around the world; and against that backdrop we have cut defense dramatically.

The defense force structure that we have today is just about half of what it was in 1992. We have gone from 18 Army divisions to 10; 24 active fighter

air wings to 13; and as the gentleman from Virginia (Mr. SISISKY) said, almost 600 ships down to 324 and dropping.

Unfortunately, the half that we have left is not as ready as the full force that we had in 1992. We have a \$193 million shortage in basic ammo for the Marines; a \$3.5 billion shortage in ammo for the Army. Our mission-capable rates have gone down almost 10 percent across the board in the services; that is the ability of an aircraft to take off from a carrier or from a runway, run its mission and come back and land safely. That is now down to an average of about 70 percent. That means about 30 of every 100 planes in our services cannot take off a runway and do their mission because of a lack of spare parts, a lack of maintenance, or just having a real old aircraft that has not been replaced.

In fact, we did have 55 crashes, peacetime crashes, last year with the military, resulting in over 50 deaths of our people in uniform. So we are flying old equipment, and we are having to take very valuable resources, these spare parts, the few spares and repair parts that we have, and our trained personnel who can still fix aircraft and other equipment and move them to the front lines when we run an operation like Kosovo.

So against that backdrop, we have put an additional \$2.7 billion into the modernization accounts, and we put extra money in the pay raise. We have a 4.8 percent pay raise. We put money in readiness. Across the board, we have spent what I consider to be the bare minimum; but in this case, Mr. Speaker, the bare minimum is absolutely necessary. It would be a tragedy to defeat this bill for some reason, for some turf fight or some other reason that has nothing to do with national security.

Let me just say with respect to the DOE section of this bill and the reform that we did, let me just remind my colleagues about the tragedy that occurred a couple of years ago. After we had identified an individual who was identified as a spy in our nuclear weapons laboratory, and the head of the FBI, Mr. Freeh, had gone to the Assistant Secretary of Energy and a couple of weeks later to the Secretary of Energy and said, get this guy away from classified areas, take away his access to our nuclear secrets, 14 months later somebody turned around and said, is that spy still next to the nuclear weapons vault? And somebody went over and checked and, yes, he was.

We tried to figure out why he hadn't been fired, and there was such a mess and such a confusion that nobody was sure. Everybody thought the other guy was going to get the spy away from our nuclear secrets. Presumably he was upgrading for 14 months, over a year, the nuclear secrets that he had moved out earlier and nobody was there to stop him.

That was the confusion that we saw. That is the confusion that we fix. Let us pass this conference report.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I take this opportunity not to comment on this legislation but to comment on the Republican leadership's unwillingness to recognize reality in the scheduling of the House of Representatives.

As people may be aware, there is a hurricane headed toward this area, and yet the Republican leadership refuses to adjourn the House at the end of proceedings today, thereby forcing Members to attend a hurricane party here in Washington, D.C. in the capitol tomorrow.

It is very likely that the Washington, D.C. airports will be closed tomorrow if the hurricane does, in fact, continue on its path, thereby preventing Members from the southeast who may want to be with their constituents at the time of this national emergency from doing so, and preventing Members from other parts of the country who may actually want to be able to go home this weekend and spend time with their constituents from doing so.

I find it extraordinarily shortsighted on the part of the Republican leadership to recognize that there is a hurricane headed straight toward Washington, D.C. The House should be adjourned at the end of today so that Members will not be trapped in Washington and be unable to be with their constituents in the next 5 days.

Mr. Speaker, I reserve the balance of my time.

Mrs. MYRICK. Mr. Speaker, back to the debate, I yield such time as he may consume to the gentleman from California (Mr. DREIER), my distinguished chairman of the Committee on Rules.

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank my friend, the gentlewoman from North Carolina (Mrs. MYRICK) for yielding and congratulate her on her superb management of this rule.

Mr. Speaker, I have to respond to my friend from Dallas by saying that we obviously want to do everything that we can to ensure that people are able to get out of town in time, and I will say that we do not want to have to have a hurricane party here. I do not know that the hurricane is headed right towards Washington, D.C. We certainly hope that we do not see any loss of life and that it is, in fact, lessened. But I am struck with the fact that my colleagues really go for everything they possibly can to attack the Republican leadership. We enjoy the fact that they are scraping for something more to criticize us on.

Let me say that I believe that this is a very important conference report. We are trying to get the people's work done here, and I am hoping very much that we will be able to have strong bipartisan support of not only the rule but the conference report itself.

It was 10 years ago this coming November 13 that the world celebrated the crumbling of the Berlin Wall, and many people argued at that point that we would be witnessing the end of history; that the demise of the Soviet Union and Communism, which took place in the following 3 years, was something that was going to change the world, and clearly it has.

I think that the leadership that Ronald Reagan and President George Bush have shown and, frankly, in a bipartisan way that we have provided for our Nation's defense capability, brought about that change; but as we mark, in the coming weeks, the 10th anniversary of the crumbling of the Berlin Wall, it is very important for us to note that there has been a dramatic change in the national security threat that exists in this country and for the free world.

It seems to me that we need to realize that over that period of time we have dealt with a wide range of challenges that exist throughout the world, and I am struck with a figure that I mentioned here several times before, the fact that during this administration we have deployed 265,000 troops to 139 countries around the world and that has taken place at a time when we have actually diminished our level of expenditures.

Since 1987, we have seen a reduction of 800,000 of our military personnel. We have consistently pursued this goal of trying to do more with less, and that is wrong. That is why when we, as Republicans at the beginning of the 106th Congress, set forth our four top priorities of making sure that we improve public education, which I am proud to say that we have done; provide tax relief for working families, which in just a couple of hours we are going to be enrolling the bill and sending it to the President, and I hope very much he does not veto that bill as he said he would on Friday; and saving Social Security and Medicare. Those are other priorities.

We also included, as a top priority, because of this changing threat, rebuilding our Nation's defense capability. I am happy that we have passed and that the President, reluctantly, but the President finally did sign the national ballistic missile defense bill. I am very happy that we were able to see the President come on board in some of our attempts to deal with these national security issues, and I hope that he will be able to sign this conference report when it gets to him.

It is clearly the right thing to do. We are going to be facing more challenges, but we have to make sure that the one issue which only the Federal Government can deal with, virtually every one of the other issues that we deal with can be handled by State and local governments, but our national security is the one issue that we are charged to dealing with. It is in the preamble of the U.S. Constitution, and it seems to me that we need to step up to the

plate. That is why support of this conference report is very important.

I urge my colleagues to do it in a bipartisan way.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would only point out to my friend, the gentleman from California (Mr. DREIER), that I am not trying to be overly critical of the Republican leadership.

Mr. DREIER. That would be a first, I have to say.

Mr. FROST. I am just appalled by the fact that they seem to have taken the position of, what hurricane? I mean, everybody in the country knows that the hurricane is heading up the East Coast, and by refusing to adjourn the House at the end of business today they are forcing the staff to try and get into work tomorrow. They are trapping Members in the Nation's capital who want to be home with their constituents. This is an extraordinary development.

Mr. DREIER. Mr. Speaker, if the gentleman will yield just for a moment, I would just like to thank him for his input and tell him that the recommendation that he has made will certainly be taken into consideration.

Mr. FROST. I have not yielded. I am sorry. I have not yielded.

The Republican leadership seems to be the only ones in the country that do not recognize the fact that a hurricane is moving up the East Coast, and that it is projected that it is going to come very close to Washington, D.C. tomorrow, and that we may have 5 inches of rain here tomorrow. I do not understand.

All I want them to do is to turn on their television sets and to listen to the news and to deal with reality so that Members can be treated in a fair way and so that the staff can be treated in a fair way. It is unrealistic and unfair to say we are going to be here tomorrow and everybody come on in, no matter what is happening.

They ought to face reality. They ought to adjourn the House at the end of today so that Members and staff will not be forced through the hardship of dealing with the hurricane in Washington, D.C. tomorrow.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. EWING). The gentleman from Texas (Mr. FROST) has 11 minutes remaining. The gentlewoman from North Carolina (Mrs. MYRICK) has 1 minute remaining.

Mrs. MYRICK. Mr. Speaker, I would like to inquire of the gentleman from Texas (Mr. FROST) if he has any further speakers?

Mr. FROST. Mr. Speaker, I reserve the right to close for our side. We do not have any other speakers at this point.

Mrs. MYRICK. Mr. Speaker, if it is all right, the gentleman should go ahead and close because I have no more speakers either.

Mr. FROST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a very good piece of legislation. This is legislation supported by a Democratic President, a Democratic administration, supported by the vast majority of Democrats in the House of Representatives. We all are pleased to stand for a strong national defense, to stand for efforts to help our troops, to increase morale, to make sure that we retain soldiers that we need and that we are able to recruit soldiers that our forces need for the future.

This is a good conference report. As a Democrat, I am pleased to support it, and I urge all of my colleagues to vote yes on final passage on this very important piece of legislation.

Mr. Speaker, I yield back the balance of my time.

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. SPENCE. Mr. Speaker, pursuant to House Resolution 288, I call up the conference report on the Senate bill (S. 1059) to authorize appropriations for fiscal year 2000 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

□ 1115

The SPEAKER pro tempore (Mr. EWING). Pursuant to the rule, the conference report is considered as having been read.

(For conference report and statement, see proceedings of the House of August 5, 1999, at page H7469.)

The SPEAKER pro tempore. The gentleman from South Carolina (Mr. Spence) and the gentleman from Missouri (Mr. Skelton) each will control 30 minutes.

#### PARLIAMENTARY INQUIRY

Mr. DINGELL. Mr. Speaker, with all respect for the chairman of the committee and all respect for my good friend, the gentleman from Missouri (Mr. SKELTON), I have been advised that the gentleman from Missouri supports the bill. I therefore ask, Mr. Speaker, is the gentleman from Missouri opposed to the bill, and therefore, is he entitled to time in opposition to the legislation?

The SPEAKER pro tempore. Is the gentleman from Missouri (Mr. SKELTON) in favor of the conference report?

Mr. SKELTON. Mr. Speaker, I absolutely support the bill.

The SPEAKER pro tempore. The gentleman from Missouri supports the conference report.

Pursuant to clause 8(d)(2) of rule XXII, time will be controlled three ways. The gentleman from South Carolina (Mr. SPENCE) will control 20 minutes; the gentleman from Missouri (Mr.



SKELTON) will control 20 minutes; and the gentleman from Michigan (Mr. DINGELL) will control 20 minutes.

(Mr. SPENCE asked and was given permission to revise and extend his remarks.)

Mr. SPENCE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the fiscal year 2000 defense authorization bill was reported out of the Committee on Armed Services back in May on a vote of 55-to-1, and it passed the House in June on a vote of 365-to-58. The conference report before us today enjoys equally strong bipartisan support, as all 36 Republican and Democrat committee conferees have signed the conference report. This is only the second time this has happened since 1981. It is truly a bipartisan report.

Mr. Speaker, the funding authorized in this bill is consistent with the increased spending levels set by the Congress in the budget resolution. As a result of this increased spending and a careful reprioritization of the President's budget request, we have provided the military services some of the tools necessary to better recruit and retain qualified personnel and to better train and equip them.

It is in this context that the conferees went to work, targeting additional funding for a variety of sorely needed quality of life, readiness, and equipment initiatives. However, despite the conferees' best efforts, we are not eliminating shortfalls, we are simply struggling to manage them. Absent a long-term, sustained commitment to revitalizing America's armed forces, we will continue to run the inevitable risks that come from asking our troops to do more with less.

This conference report also contains the most important and significant Department of Energy reorganization proposal since the agency's creation more than two decades ago.

Earlier this year, the bipartisan Cox-Dicks Committee released its report on the national security implications of our United States technology transfers to the People's Republic of China. The Cox Committee identified lax security at DOE nuclear laboratories as a critical national security problem, and unanimously concluded that China had obtained classified information on "every currently deployed thermo-nuclear warhead in the United States ballistic missile arsenal."

Following the Cox Committee report, President Clinton's own Foreign Intelligence Advisory Board chaired by former Senator Rudman, issued its report highly critical of DOE's failure to protect the Nation's nuclear secrets. The report of the President's Advisory Board concluded that DOD is, "a dysfunctional bureaucracy that has proven it is incapable of reforming itself."

The conference report would implement the recommendation of the President's Foreign Intelligence Advisory Board to create a semi-autonomous agency within DOE and vest it with re-

sponsibility for nuclear weapons research and protection. The reorganization will go a long way towards streamlining DOE's excessive bureaucracy and improving accountability, all in an effort to ensure that our Nation's most vital nuclear secrets are better managed and secured.

Mr. Speaker, some question has been raised in some quarters on the possible impact that the reorganization provisions could have on DOE's environmental programs and in particular, on the status of existing waivers of solving immunity agreements between the Federal Government and individual States. In a few minutes I plan to engage in a colloquy with the gentleman from Missouri (Mr. SKELTON) to clarify this point for the legislative record.

Mr. Speaker, I would like to insert into the RECORD following my statement a letter that Senator WARNER and I have jointly written to the National Governors Association and the National Association of Attorneys General that address these questions in more detail.

The bottom line is that this conference report does not impact or change current environmental law or regulation, and it does not impact or change existing waivers of sovereign immunity agreements. For the sake of time I will not repeat that statement, but it is true to the letter.

Mr. Speaker, this conference report is before the House today only as a result of the efforts of all conferees. In particular, I want to recognize the critical roles played by the Committee on Armed Services subcommittee and panel chairmen and ranking members. Their efforts, along with those of the gentleman from Missouri (Mr. SKELTON) made my job easier, and their dedication to getting the job done is clearly evident in this conference report.

Mr. Speaker, this is an important piece of legislation, and I urge all of my colleagues to support the conference report.

WASHINGTON, DC,  
September 14, 1999.

Hon. MICHAEL O. LEAVITT,  
*Chairman, National Governors' Association,*  
*Hall of States, Washington, DC.*

Hon. CHRISTINE O. GREGOIRE,  
*President, National Association of Attorneys*  
*General, Washington, DC.*

DEAR GOVERNOR AND MADAM ATTORNEY GENERAL: We are aware that concerns have been raised regarding the impact of Title XXXII of S. 1059, the conference report for the National Defense Authorization Act (NDAA) for Fiscal Year 2000, on the safe operation and cleanup of Department of Energy (DOE) nuclear weapons sites. Title XXXII provides for the reorganization of the DOE to strengthen its national security function, as recommended by the House of Representatives, the Senate, and the President's Foreign Intelligence Advisory Board (PFIAB). In so doing, the NDAA would establish the National Nuclear Security Administration (NNSA), a semi-autonomous agency within the Department.

However, as the purpose of this effort was focused on enhancing national security and strengthening operational management of

the Department's nuclear weapons production function, the conferees recognized the need to carefully avoid statutory modifications that could inadvertently result in changes or challenges to the existing environmental cleanup efforts. As such, Title XXXII does not amend existing environmental, safety and health laws or regulations and is in no way intended to limit the states' established regulatory roles pertaining to DOE operations and ongoing cleanup activities. In fact, Title XXXII contains a number of provisions specifically crafted to clearly establish this principle in statute.

*NNSA compliance with existing environmental regulations, orders, agreements, permits, court orders, or non-substantive requirements.*

Concern has been expressed that Title XXXII could result in the exemption of the NNSA from compliance with existing environmental regulations, orders, agreements, permits, court orders, or non-substantive requirements. We believe these concerns to be unfounded. First, Section 3261 expressly requires that the newly created NNSA comply with all applicable environmental, safety and health laws and substantive requirements. The NNSA Administrator must develop procedures for meeting these requirements at sites covered by the NNSA, and the Secretary of Energy must ensure that compliance with these important requirements is accomplished. As such, the provision would not supersede, diminish or otherwise impact existing authorities granted to the states or the Environmental Protection Agency to monitor and enforce cleanup at DOE sites.

The clear intent of Title XXXII is to require that the NNSA comply with the same environmental laws and regulations to the same extent as before the reorganization. This intent is evidenced by Section 3296, which provides that all applicable provisions of law and regulations (including those relating to environment, safety and health) in effect prior to the effective date of Title XXXII remain in force "unless otherwise provided in this title." However, nowhere in Title XXXII is there language which provides or implies that any environmental law, or regulation promulgated thereunder, is either limited or superseded. Therefore, we clearly intend that all existing regulations, orders, agreements, permits, court orders, or non-substantive requirements that presently apply to the programs in question, continue to apply subsequent to the enactment and effective date of Title XXXII.

Concern has also been expressed that the creation of the NNSA would somehow narrow or supersede existing waivers of sovereign immunity or agreements DOE has signed with the states. Title XXXII merely directs the reorganization of a government agency and does not amend any existing provision of law granting sovereign immunity or modify established legal precedent interpreting the applicability or breadth of such waivers of sovereign immunity. The intent of this legislation is not to in any way supersede, diminish or set aside existing waivers of sovereign immunity.

*NNSA responsibility for environment, safety and health and oversight by the Office of Environment, Safety and Health.*

Concern has been expressed that the NNSA would be sheltered from internal oversight by the Office of Environment, Safety and Health. In keeping with the semiautonomous nature of the proposed NNSA, the legislation establishes new relationships between the new NNSA and the existing DOE secretariat. Principally, it vests the responsibility for policy formulation for all activities of the



NNSA with the Secretary and devolves execution responsibilities to the NNSA Administrator. However, there is clear recognition of the need for the Secretary to maintain adequate authority and staff support to discharge the policy making responsibilities and conduct associated oversight. For instance, Section 3203 establishes a new Section 213 in the Department of Energy Organization Act would provide that:

"(b) The Secretary may direct officials of the Department who are not within the National Nuclear Security Administration to review the programs and activities of the Administration and to make recommendations to the Secretary regarding administration of those programs and activities, including consistency with other similar programs and activities of the Department.

The Secretary shall have adequate staff to support the Secretary in carrying out the Secretary's responsibilities under this section."

While some maintain that both of these provisions are redundant restatements of the Secretary's inherent authority as chief executive of his department, we recognized the importance of being abundantly clear on this point, particularly as it pertained to environmental, safety and health matters. Therefore, we fully expect that the Secretary will continue to rely on the Office of Environment, Safety and Health or any future successor entity to support his policy making and oversight obligations under the law.

To further clarify this point, the conferees also included a provision in Section 3261(c) that states that "Nothing in this title shall diminish the authority of the Secretary of Energy to ascertain and ensure that such compliance occurs." This provision makes reference to the requirement that the NNSA Administrator ensure compliance with "all applicable environmental, safety and health statutes and substantive requirements." Once again, the conferees intended this future language to make it abundantly clear that the Secretary retains the authority to assign environmental compliance oversight to the Office of Environmental, Safety and Health to support his responsibilities in this area.

Finally, concern has also been raised over the interpretation of the assignment of environmental safety and health operations to the NNSA Administrator by Section 3212. This provision establishes the scope of functional responsibilities assigned to the NNSA Administrator and is not intended to, and does not, supersede the assignment of primacy for policy formulation responsibility to the Secretary of Energy for environment, safety and health or any other function.

*Effect of Section 3213 on oversight by the Office of Environment, Safety and Health*

Concern has also been raised that Section 3213 could be interpreted in a manner that would preclude oversight by the Office of Environment, Safety and Health. Section 3213 deals exclusively with the question of who within the Department of Energy holds direct authority, direction and control of NNSA employees and contractor personnel. As such, this provision establishes the operational and implementation chain of command in keeping with the organizing principle of the legislation to vest execution authority and responsibility within the NNSA. However, neither this principle nor Section 3213 would in any way preclude the Secretary from continuing to rely on the Office of Environment, Safety and Health for providing him with oversight support for any program or activity of the NNSA.

*NNSA responsibility for environmental restoration and waste management*

Concern has also been raised that Title XXXII somehow would extend to the NNSA

responsibility for environmental restoration and waste management. We consider this concern to be unfounded and inaccurate. Contrary to some interpretations, Section 3291(c) grants no authority to the Secretary to move additional functions into the NNSA. Rather, Section 3291(c) recognizes the possibility that some future activity may present the need to migrate a particular facility, program or activity out of the NNSA should it evolve principally into an environmental cleanup activity. Therefore, this provision would allow such activity only to be transferred out of the NNSA.

Further, contrary to some expressed concerns, Title XXXII would not permit control of ongoing cleanup activities being carried out by the Office of Environmental Management to be assumed or inherited by the NNSA, thus ensuring that DOE's environmental responsibilities will not be overshadowed by production requirements. Finally, as previously noted, Section 3212, which assigns the functional responsibilities of the NNSA Administrator, is not intended to, and does not, establish responsibility to the NNSA Administrator for environmental restoration and waste management.

*Oversight role of the Defense Nuclear Facilities Safety Board*

Concern has been raised that the external oversight role of the Defense Nuclear Facilities Safety Board (DNFSB) will be impaired by the conference report language. This concern is without merit, since Title XXXII makes no change to the existing authority or role of the DNFSB. While there was some discussion during the conference of possibly expanding the role of the DNFSB to enhance external environmental and health oversight, this proposal was eventually dropped resulting in no change to the existing authority of the DNFSB.

We firmly believe that this legislation will result in much needed reforms to better protect the most sensitive national security secrets at our nuclear weapons research and production facilities and to correct associated long-standing organizational and management problems within DOE. However, we agree that these objectives should not weaken or undermine the continuing effort to ensure adequate safeguards for environmental, safety and health aspects of affected programs and facilities. More specifically, we believe that these objectives can be met without in any way limiting the established role of the states in ongoing cleanup activities. This legislation is fully consistent with our continuing commitment to the aggressive cleanup of contaminated DOE sites and protecting the safety and health of both site personnel and the public at large.

We appreciate your willingness to share your concerns with us and hope that this response will address them in keeping with our mutual objectives. In this regard, we look forward to continuing to work closely with you and your associations to ensure that this legislation is implemented in a manner that is consistent with the principles stated above and strikes the intended careful balance between national security and environmental, safety and health concerns.

Sincerely,

FLOYD D. SPENCE, *Chairman,*  
*House Armed Services Committee.*  
JOHN WARNER, *Chairman,*  
*Senate Armed Services Committee.*

Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of this legislation. A good number of months ago I had the opportunity to be in Bosnia

meeting and talking with the young men and young women in uniform who stand guard in that sad country doing their best and successfully doing their best to keep peace in that corner of the world. This morning, Mr. Speaker, I had breakfast with four bright young sailors who have been in the Navy only between one and two years. Both were in Bosnia when I was there. After the breakfast this morning with the young military folks, I asked myself, where, where do we find young people such as this: Dedicated, sincere, hard-working, patriotic.

Well, they come from small towns and farms and cities all across our country, and they do a superb job securing the freedoms that we enjoy. There have been problems, problems with recruitment and problems even more serious with retention. The old saying is, you recruit soldiers, but you retain families, and I think that is so true.

Mr. Speaker, this bill before us today is a historic landmark for the troops of America. This is the year of the troops. This is the year that the Committee on Armed Services, and I am pleased to say when the bill was reported out, it was reported out with a favorable vote of some 55-to-1. It has strong support among the committee and hopefully will have very, very strong support here on the floor. Because this year, we gave a pay increase, we reformed the pay tables which is geared towards those young men and young women who make the decision whether to stay in or get out at the 9, 10, 11, 12 year mark.

We reform in a very positive manner the pension system. We build new barracks, new family housing; we help fix the problems in TRICARE; we have done a superb job, and I am so pleased about it. In procurement, we have purchased and helped bring ourselves to the point where we have maintained that scientific edge. It is with a great deal of pleasure that I support this bill in its entirety, including the Department of Energy portions thereof.

Mr. Speaker, I reserve the balance of my time.

Mr. DINGELL. Mr. Speaker, I yield myself 7½ minutes.

Mr. Speaker, it has been represented that Senator Rudman supports this. Let me read what he said about this with regard to the semi-autonomous weapons agency: "We do not believe that the environmental health issues should be stripped from where they are and put within the agency for nuclear support. I would not support that kind of change because I know what we went through back in the 1980s." I would commend this to the reading of the chairman of the committee.

Having said that, let us look who else is opposed to this outrage, the National Association of Attorneys General. The chairman sent them a letter, but they still oppose the bill: "We urge you to oppose the provisions of title 32 that would weaken the existing internal and

external oversight structure for DOE's safety and health operations. Title 32 of the defense authorization bill would impair State regulatory authority, eliminate DOE's internal oversight of environmental safety and health, and transfer responsibility for waste management and environmental restoration to the entity responsible for weapons production and development." Forty six attorneys general.

What did the former Secretaries of Energy have to say about this? "This restructuring represents a return to the institutional conditions that resulted in almost 50 years of environmental safety health mismanagement at DOE facilities at an estimated cost of \$250 billion, the largest environmental cleanup in the world. This restructuring is a step backward to the problems of the past."

Listen then to our governors, Mr. Speaker, and hear what they have to say. They say, specifically, "We are concerned that section 3261 would be interpreted as limiting existing waivers of sovereign immunity, leaving NNSA exempt from State environmental regulations, permits, orders, penalties, and agreements. We urge your thoughtful reconsideration of these provisions of title 32 that would weaken the existing oversight structure for DOE's environmental safety and health operations."

The Conference of State Legislatures has communicated their outrage and their opposition to this proposal. Heed these people.

Now, let me just quote, George Santiana said "He who does not learn from history is doomed to repeat it," and we are looking at a fine mess in just a few years, because we are doing away with all of the steps that have been taken by Secretary Richardson both to have control over the cleanup and to bring about a cleanup, but also to address the questions of secrecy. My friend, the chairman of the committee and the committee, in a rather remarkable conference which may or may not have occurred, because no notices were given to any of the conferees, and when I appeared as a witness, I was advised by the chairman of the committee that the conference is over, there is nothing to talk about.

Now, this is an extraordinary high-handed treatment of Members who were appointed as conferees. I think that what we should do is to do what the House in its wisdom did, and that is to pass the bill with all of the good provisions and strike title 32, which is mischievous.

□ 1130

Now, let us look at the problems title XXXII creates. It returns us to the dark, secretive days of the AEC, when people did not know what was going on, and when the AEC diligently lied to everybody, including the administration, the Congress, and even the Joint Committee on Atomic Energy. They created a hideous mess in terms of

health, safety, and environmental degradation. Every facility owned by that agency is today a cesspool of high-level and low-level nuclear waste and of hazardous wastes and of mixed wastes. Why? Because they were answerable to no one and they hid all of their mistakes.

We spent years trying to open this process to see to it that the Congress and the Members of this body know what is going on so that we could protect our constituents against the rampages of that kind of agency in the future. This proposal simply recreates that outrage, and my colleagues and I will have cause to regret that day's work if we do not reject that provision and adopt the motion to recommit.

If we do not learn from history, we are going to repeat it. In just a few years the secrecy they are going to engage in, which will be practiced against this body and Members of the Senate and Members of the government and ordinary citizens, attorneys general and Governors, is going to lead to further abuses.

If Members think this is going to address the questions of protecting the national security, Members are very much in error. I watched the AEC for years, and the agency leaked like a sieve. I was over in a place called Chelyabinsk. It is the site of the Arzamas-16, the Russian nuclear thermonuclear generation facility. They showed me there a bomb. I said, it looks like the bomb the United States dropped on Hiroshima. They said no, it is an exact copy.

That agency leaked all kinds of information like that, technology and ability to the Russians and the Chinese and others to enable them to do what they have done.

Do not just think this is DOE, security is an ongoing problem. But at least with the Secretary in control of this matter, the Congress will have the ability to understand where rascality goes on, where there is threat to public property, where the responsibilities of the contractors to the taxpayers are dishonored, as they have been, where secrecy runs riot, and where environmental degradation reigns because of the secrecy and the refusal of the agency to properly police itself.

I urge my colleagues, let us drop title XXXII. It was never considered on the floor of the House. It was never considered in the Senate. As a matter of fact, my colleagues on the Committee on Armed Services had to go to the Committee on Rules to get themselves a funny rule. That funny rule protects them against points of order. It says that the fact that they went beyond the scope of the conference cannot be raised on this floor. It says that the fact that they disregarded the rule of germaneness cannot be raised on the floor, and the fact that they have written bad legislation is, to the best of the ability of the Committee of Armed Services and the Committee on Rules, protected against any serious challenge

of wrongdoing and of hurt to the public interest.

The way this House should address this is to understand that here we have a question where legislation was written in secrecy by staff without consultation with the Members of the House or other committees which have jurisdiction, and that that legislation is seriously flawed. It is opposed by everybody, the President, the Secretary of the Department of Energy, the Governors, the attorneys general, the State legislatures, and 11 environmental organizations. They have said, do not pass this legislation with this kind of secrecy provision in it.

If Members want to continue an effective cleanup of the hideous mess that this kind of secrecy has made under the AEC, they must continue allowing this work to be done by the DOE in the open eye of daylight.

If Members want to see to it that the Nation is able to know when there are failures and when our security system is not working, allow DOE to do it. They are trying to clean it up. AEC participated actively in suppressing all acts and all information on this. This proposal reconstitutes the AEC and the practices which caused hideous abuses, both of the environment and of the national interest.

I will be offering a motion to recommit at the proper time. I urge my colleagues to listen to their Governors, listen to their attorneys general, listen to their legislators, listen to their president, their Secretary of DOE, and to the environmentalists, who tell us that this is the wrong way to go.

This is a dangerous way to go. This is insulating an agency from any proper supervision, and it is an attack not only upon the rest of government, but it is an attack on this body and the ability of Members of this body to know what is going on in the midst of a situation which may sacrifice the right of the public to know what is going on, and which will sanctify the kind of secrecy that sneaky bureaucrats have practiced on atomic energy, on safety, and upon other things which are important, including the protection of the national security of the United States. This should either be corrected by the motion to recommit, or the conference report should be rejected.

My friends and colleagues on the Committee on Armed Services attribute enormous risk to this situation. They conducted a meeting of the conferees in complete secrecy, permitted no one to participate, did not even allow us to ask questions about what it was they did.

Members are not going to tell me that they honestly fear on that committee that in some way some of the good provisions, and there are good provisions, and I supported them when this matter was in the House before, are in any jeopardy from that. Members of this body support those provisions, without exception.

Members of this body should know that they can reject the outrageous

provisions and preserve the good. I will offer them an opportunity to do so. I urge them to do so.

Mr. Speaker, I reserve the balance of my time.

Mr. SPENCE. Mr. Speaker, I yield myself 5½ minutes.

I would say to my colleagues, I respect the position of the gentleman from Michigan (Mr. DINGELL). I respect him. But if Members were to buy that position, I have a deal for them. I have a bridge I want to sell them.

Mr. Speaker, I would like to engage in a colloquy with the gentleman from Missouri (Mr. SKELTON), the ranking member of the Committee on Armed Services.

Mr. SKELTON. Mr. Speaker, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Missouri.

Mr. SKELTON. I thank the chairman for yielding to me, Mr. Speaker.

Mr. Speaker, some have raised concerns since the completion of the conference report regarding the possible impact that the Department of Energy reorganization provisions could have on the Department of Energy and environmental cleanup activities, and in particular, on the status of the existing waivers of sovereign immunity agreements between the Federal Government and the individual States.

I believe that the conferees did not intend to and in fact did not take any action that would limit or supersede any existing agreement that the Department of Energy has entered into with any State, including the Federal facility compliance agreements.

Is that the understanding of the chairman of the Committee on Armed Services?

Mr. SPENCE. The gentleman is correct. The conferees were particularly aware of and therefore careful to avoid changes in law that could inadvertently result in changes to existing environmental clean-up efforts. For this reason, the conference report contains a number of provisions specifically designed to make it clear that the semi-autonomous National Nuclear Security Administration will not only be subject to all existing environmental laws, regulations, and related requirements, but that the legislation would also not result in any reversal of existing environmental policies or practices within DOE.

As Senator WARNER and I stated in our September 14 letter to the National Governors Association and the National Association of Attorneys General, which had been submitted for the RECORD, and I quote, "We clearly intend that all existing regulations, orders, agreements, permits, court orders, or nonsubstantive requirements that presently apply to the programs in question continue to apply subsequent to the enactment and effective date."

Therefore, it was the clear intent and action of the conferees to not in any way supersede, diminish, or set aside

existing waivers of sovereign immunity agreements between DOE and the States.

Mr. SKELTON. Mr. Speaker, I thank the gentleman for the clarification, and I join him in underscoring the intent and action of the conferees on this very important matter.

I believe the record is clear on this point, and no one intends this legislation to serve as a vehicle or an attempt in any way to relitigate or reopen the Federal Facilities Compliance Act or the associated issues thereto.

Mr. SPENCE. Mr. Speaker, I reserve the balance of my time.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. ORTIZ).

Mr. ORTIZ. Mr. Speaker, I rise in strong support of H.R. 1059, the National Defense Authorization Act for fiscal year 2000.

I want to specifically address the provisions in the Act relating to military readiness.

First, I would like to express my personal appreciation to my colleagues on both the subcommittee and the full committee for the manner in which they conducted the business of the subcommittee during this session.

I want to express my appreciation to the gentleman from Virginia (Mr. BATEMAN), the gentleman from South Carolina (Mr. SPENCE), and the gentleman from Missouri (Mr. SKELTON), for the outstanding work and leadership they provided to the committee.

We had the opportunity to see readiness through the eyes of the brave soldiers, sailors, and airmen who are entrusted with the awesome responsibility of carrying out our national military strategy. We heard them talk about the shortage of repair parts, the extra hours spent trying to maintain old equipment, and the shortage of critical personnel. Fortunately, this year we were able to do something about their concerns.

Now, I had an opportunity to go to Korea and talk to our troops and their families. They know what this bill contains. They know that this bill contains a pay increase. They know that this bill does something for the shortage of housing. This is the reason we need to continue to support this conference report.

I do remain concerned about our inability to provide additional support for other critical elements of our readiness support activities. That includes the stability of our dedicated civilian employees who are also being asked to remain productive while facing the constant threat of the loss of their jobs. This area also deserves our attention.

Mr. Speaker, when I traveled up the coast of Thailand and visited the sailors assigned to the U.S.S. *Kitty Hawk*, they were so grateful because of the action that we had conducted right before recess. Let us not send them the wrong signal. I urge my colleagues to support the fine legislation in the conference report.

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. COX), the chairman of the Cox Commission.

Mr. COX. Mr. Speaker, I thank the chairman for yielding time to me.

Mr. Speaker, last January the Select Committee reached the unanimous and bipartisan conclusion that despite repeated Peoples Republic of China thefts of sophisticated U.S. nuclear weapons technology, security at our national weapons laboratories does not meet even minimal standards.

Just 2 weeks after the public release of the Select Committee's unclassified report, the President's Foreign Intelligence Advisory Board joined the Select Committee in condemning the wholly inadequate security structure at the weapons laboratories.

Last week the Administration's national intelligence estimate confirmed for the first time in public that the People's Republic of China is developing three new long-range nuclear missiles that will target the United States, and that their new modern nuclear warheads will likely be influenced by classified American technology stolen from the United States through espionage.

Our security problems are serious, and their costs are very real. In June, this House took the first step toward fixing those egregious security problems by acting on the Select Committee's recommendations.

□ 1145

Twenty-eight of those recommendations offered to this House by the chairman and the gentleman from Washington (Mr. DICKS), ranking democrat of the Select Committee on U.S. Security and Military/Commercial Concerns with the People's Republic of China, are included in this bill and were approved by unanimous vote of the House on the floor. It is important that we see this through in to law to ensure that science at its best at our national laboratories is protected by security at its best.

Finally, let me say it is vitally important that we extend coverage of environmental safety and health statutes to the new National Nuclear Security Administration created in this legislation, and we do. That is exactly what this bill does. In fact, it raises environmental health and worker safety standards.

I would like to thank the members of the Select Committee, but more importantly thank the members of the Committee on Armed Services for their work on this very, very important bipartisan bill.

Mr. SKELTON. Mr. Speaker, may I inquire as to the amount of time that we have remaining, please.

The SPEAKER pro tempore (Mr. PEASE). The gentleman from South Carolina (Mr. SPENCE) has 9 minutes remaining. The gentleman from Missouri (Mr. SKELTON) has 14½ minutes remaining. The gentleman from Michigan (Mr. DINGELL) has 11 minutes remaining.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE) who helped make the year of the troops a reality, who, together with his counterpart on the other side, the gentleman from Indiana (Mr. BUYER), have done monumental work for the troops in the field.

Mr. ABERCROMBIE. Mr. Speaker, I thank the gentleman from Missouri (Mr. SKELTON) for those remarks.

Mr. Speaker, I want to pay particular tribute to the gentleman from Indiana (Mr. BUYER) and members of the Subcommittee on Military Personnel, and thank the gentleman from South Carolina (Mr. SPENCE) for the opportunity to work with him, and the rest of the committee members to help craft this bill.

Mr. Speaker, I understand that there are, perhaps, difficulties associated with any bill that does not measure up in every respect for all Members. But in this particular instance, it seems to me that the overall course of events associated with the Department of Defense bill, the authorization bill that we have before us, merits our support.

I will not recite it at great length other than to submit for the RECORD what we did with the Subcommittee on Military Personnel over and above the pay raise and the other issues that have been brought forward. I can say, I think, on behalf of the gentleman from Indiana (Mr. BUYER) as the chairman, that there are at least 17 specific issues associated with personnel measures that are a distinct advancement, some perhaps the best in 20 years. That is what is at stake with this bill.

I want to mention just one in particular, the Thrift Savings Plan, that we have put forward. How can we expect to have our federal employees, which in effect our military are, be absent from the opportunity to participate in the Thrift Savings Plan. This bill provides for that opportunity. This takes 1.4 million families in the military, it takes 1.4 million people in the guard and reserves and their families, and makes them equal partners with the rest of us in the progress of this Nation as we turn the corner and the century.

Mr. Speaker, I need go no further than to say that, as we go to East Timor, we will be calling up reservists to go to East Timor. We cannot conduct our deployments around the world without a guard and reserve component in conjunction with the act of military.

So whether it is in East Timor, whether it is in Kosovo, whether it is in Bosnia, or whether it is in the United States, the armed services of the United States, in all their aspects, deserves our full support.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from California (Mr. WAXMAN).

(Mr. WAXMAN asked and was given permission to revise and extend his remarks.)

Mr. WAXMAN. Mr. Speaker, I rise in support of what will be offered as a motion to recommit.

Title 32 of this bill contains provisions which would restructure the Department of Energy to create a new National Nuclear Security Administration. I do not question the motivations of the proponents of this proposal. They simply want to protect national security at weapons production and development facilities.

However, past and recent allegations of inadequate worker and environmental protections in and around DOE labs and waste sites remind us that nuclear research poses very serious health hazards to workers and nearby residents. These concerns need to be considered when we reorganize the DOE.

Unfortunately, this legislation could have the unintended consequence of subordinating the State's legitimate environment, safety, and health concerns. In fact, 46 State Attorneys General wrote House and Senate leaders urging us to oppose the legislation and note that there have been no hearings held and there has been no opportunity for the States to provide their views to the Congress.

I would urge that we support the motion to recommit and change this provision so that it not stay in the final bill.

Similarly, the National Governors Association wrote the House conferees on September 9, stating their concerns that this legislation could be interpreted as [quote] "limiting existing waivers of sovereign immunity, leaving the [National Nuclear Security Administration] exempt from state environmental regulations, permits, orders, penalties, and agreements." [unquote]

Finally, this legislation is strongly opposed by environmental groups. The Natural Resources Defense Council, the U.S. Public Interest Research Group, the Alliance for Nuclear Accountability and other groups wrote the Members of the House on September 13 opposing this bill because it weakens accountability in the Department of Energy and because the state's ability to enforce environmental laws could be severely curtailed.

Mr. Speaker, despite the strengths in this legislation we need to send this legislation back to Committee and work out these provisions.

If you support the rights of states, if you support protecting the environment, you should support this motion to recommit.

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. BATEMAN), the chairman of our Subcommittee on Military Readiness.

Mr. BATEMAN. Mr. Speaker, I also rise to express my strong support for the recommendations of the conference committee with respect to our military forces. It is the responsibility of every Member of Congress to provide our military forces with the necessary resources to go in harm's way with the best equipment and training available. From testimony during hearings and visits to military installations by the Committee on Armed Services, it is clear that the readiness of our forces continues to slip below acceptable lev-

els. Steps must be taken and now to restore our readiness posture.

The administration has continued to expect our military to do more with less by providing woefully inadequate military defense budgets. Our military is working harder and longer to keep up with peacetime as well as contingency mission requirements. Unscheduled deployments continue at a record pace. On average, units often experience long deployments only to return and face a breakneck pace of training and exercise requirements. There is little or no time for family commitments or educational opportunities.

The results of all this increased activity is that too many of our best and brightest are deciding against a career in the military, which will have an impact on our military in the future.

The conference report provides for significant increases in the readiness-critical accounts, such as training, facility maintenance, spare parts, and depot maintenance. These increases are absolutely necessary to ensure that our military remains the best trained, best equipped, and most effective in the world. To do anything less will allow the readiness of our military to slip further and could risk the lives of countless men and women in every branch of the service.

I would also like to comment that the Merchant Marine Panel, which I chair, has in this bill provided, at the President's request, funding for authorization for the Maritime Administration, plus \$7.6 million additional for capital maintenance of the Merchant Marine Academy.

I wholeheartedly endorse the conference report and ask for its adoption.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the dedicated, hard working, and knowledgeable gentlewoman from California (Mrs. TAUSCHER).

Mrs. TAUSCHER. Mr. Speaker, I thank the ranking member for those nice comments.

Mr. Speaker, I rise in strong support of the defense authorization bill and urge my colleagues to oppose the motion to recommit and vote for passage of the bill.

This legislation, Mr. Speaker, will begin to prepare our Nation for the national security challenges of the 21st Century. It makes vital investment in military equipment, improves the readiness of our forces, and provides the military personnel with the pay and retirement benefits that they greatly deserve.

The defense authorization bill also dramatically reorganizes the Department of Energy. As we have seen in recent months, the Department of Energy is beset by management failure, bureaucratic morass, and a lack of accountability. Secretary Richardson has made some important improvements, but it is clear that the Department must be reorganized.

This DOE reorganization plan is not perfect, but we cannot maintain the status quo. Let us begin the process of

reorganization today and work to make improvements as we move forward.

Mr. Speaker, I urge my colleagues to vote against the motion to recommit and for the defense authorization bill.

Mr. DINGELL. Mr. Speaker, I yield 1½ minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, some of my colleagues may not be aware of this, but for over 30 years, we had a special supersecret bureaucracy that ran our Nation's nuclear weapons programs. It was not subject to effective external oversight or accountability. It was called the Atomic Energy Agency. For years, the old AEC pursued a philosophy of production first, and public health and safety and environment be damned.

What was the AEC's legacy? It funded hundreds of unethical experiments on human beings using radioactive materials. It allowed workers to be exposed to radioactive substances in Paducah, Kentucky, and Fernald, Ohio. It allowed for the venting of gases from Hanford, Washington, to the Nevada test site, to Fernald, Ohio.

It wantonly and repeatedly dumped toxic wastes into the soil at its weapons production sites, buried radioactive materials in shallow, unlined pits: Rocky Flats; Savanna River; Los Alamos; Paducah, Kentucky.

We disbanded the Atomic Energy Agency and put it over into the Department of Energy so we could have some accountability.

What are we doing here today? What we are doing here today is we are going back to the bad old days where we are going to have an agency focused on making bombs hidden from public site, causing environmental havoc, public health catastrophes, and then the very same kind of a formula that allowed for the lying and concealment of actions from the public.

We should not be going back to those bad old days where this report barely even mentions the contractors that were responsible for much of what went wrong.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BUYER), the chairman of the Subcommittee on Military Personnel.

Mr. BUYER. Mr. Speaker, I want to thank the gentleman from South Carolina (Mr. SPENCE) for his leadership and that of the gentleman from Missouri (Mr. SKELTON) for his leadership on this bill.

This is my eighth conference report; and I would say, of my years, I have not been here with the tenure that the gentlemen have, but this is a great bill. This is a bill that really would, in bold neon lights, focus on people.

A lot of times we focus on buying, whether it is the aircraft carriers, the munitions, the weapons systems. This one focuses on people. This one, this House, on behalf of the American people, are turning to those in our armed

services and saying, "Thank you. And, oh, by the way, we respect your sacrifices so much, we increased your pay."

We take care of many different reforms. We reform the retirement system. We are going to address the recruiting and retention concerns. I have to agree with the gentleman from Hawaii (Mr. ABERCROMBIE), the ranking member on the Subcommittee on Military Personnel. There are so many initiatives that we have done in this bill, they are almost too numerous to even mention here.

I urge all of my colleagues to support this conference report.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. PICKETT), a gentleman who is the ranking member on the Subcommittee on Military Research and Development.

Mr. PICKETT. Mr. Speaker, I rise in support of the conference report to accompany the National Defense Authorization Act for Fiscal Year 2000, and I want to talk in particular for a moment about the research and development provisions.

The conferees wisely included authorization for several leap-ahead technologies that will improve our military capabilities on land, in the air, and at sea. Additional investments are included for basic research, advanced sensors, improved radars, more sophisticated munitions, and state-of-the-art communication equipment.

The conferees also made sure that there are substantial funding increases in missile defense programs, to ensure that the development of both theater and national missile defense programs will not be funding constrained.

Mr. Speaker, our Nation's approach to military research investment is at a critical juncture. With so much change and uncertainty in the world, it is imperative that we insist upon maintaining our technological superiority.

Without the sustained fielding of more technological advance systems, our forces risk the chance of one day finding themselves confronted with a technological surprise for which they are not prepared and against which they may not prevail.

□ 1200

It is my hope that this body will join me, pass this measure today, and continue our commitment to field the most technologically superior military anywhere in the world.

Mr. DINGELL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from South Carolina (Mr. SPRATT).

(Mr. SPRATT asked and was given permission to revise and extend his remarks.)

Mr. SPRATT. Mr. Speaker, I strongly support the vast majority of this bill, particularly the pay and retirement provisions. But this good bill is marred by some of the text, some of the provisions that set up the National Nuclear

Security Administration as a semi-autonomous agency within the Department of Energy.

I have reservations about the way in which these provisions were inserted in the bill, a little discussion among members of the conference committee, consultation with the energy committee, and I have reservations about the substance of the provisions themselves and that is where I want to direct my attention.

I have heard people say that the existing Department is complicated, but what we have created is a bit of a complication, too.

In the title that we have added, 3216, section title 32, there are 18 different functions over which this new semi-autonomous agency, on page 458 and 457, will have virtually exclusive authority. Let me show some of the problems that are created by this.

This bill set up two different offices for counterintelligence, one of the places where we have really had a problem, two different offices, one under the Secretary and one under the Administrator. They have overlapping jurisdiction. The bill does not clearly define how they interface, who has authority over the other.

If we do not like the way counterintelligence is being conducted in the new administration, what do we do about it? Well, read on. Because if we read on, we will find that the bill says that the Secretary can only interact with this new administration through the administrator, no other way, he can only get the guy fired if he does not respond to his directives. There is no interface proscribed in the bill.

I do not think this was intended. This was a matter of haste and a matter of doing this without vetting it adequately both within the conference and outside the conference.

Here is another problem: We have established these 18 separate departments. As I said, the section 3213 severely hamstring the Secretary's ability to use his staff to provide oversight because the act says explicitly, nobody who works for the administration "shall be responsible to and subject to the authority, direction, and control of" anybody in the Department of Energy except for the Secretary.

What was the criticism Warren Rudman made of this agency? That it has been arrogant, that it has not been responsive to criticism, that it has been insensitive. We are just enforcing that with this particular statute if it does not work.

This needs to be taken back to the drafting room. It needs to be reworked. We can do it in an afternoon or so. It is not a lot of work. But there are places in this bill that are going to give us problems in the future and if not addressed, indeed could worsen the very problems that we are dealing with right now. It duplicates bureaucracy. It undercuts the Secretary.

Do my colleagues think 46 attorney generals have an idle concern? Can we

at least not relitigate this issue? They say that the Federal Compliance Act, which finally said that all of these nuclear weapons facilities were subject to RCRA and CERCLA and environmental laws. They say that it is undercut, that this is in doubt.

We at least should go back to the bill and dispel that and not relitigate this issue. It needs to be reworked. We will have an opportunity to vote on the motion to recommit, and I urge my colleagues to vote for it.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. WELDON) the chairman of our Subcommittee on Research and Development.

(Mr. WELDON of Pennsylvania asked and was given permission to revise and extend his remarks.)

Mr. WELDON of Pennsylvania. Mr. Speaker, I thank my distinguished chairman and the ranking member for their leadership on this issue.

I rise to say that I have the highest regard for my good friend from Michigan, and he knows that. We are good friends; but I have to oppose him on this issue, Mr. Speaker.

This bill is a good bill. In fact, it is an excellent bill. I understand the concerns about not involving the committee, and I empathize with that and think we do not do a good job in that regard. But I think it is also fair for Members to understand, this Congress could not get a major DOE reform bill through this body with the President's signature. It would not happen. It will happen as a part of this defense bill.

It is important that we understand a motion to recommit opens the entire conference up well beyond the scope of just this issue, and that is going to cause problems for every Member in this institution who has an interest in this bill, including issues like the pay raise. We just cannot say it is a free vote that we vote for the motion to recommit.

Mr. Speaker, there is a big problem here. It was the Secretary of Energy who, in 1993, did away with the FBI background checks. It was the Secretary of Energy in 1993 who changed the color-coded classifications status at our labs. It was the Secretary of Energy in 1994 who overruled the Oakland office and allowed an employee who had given away secrets to still work. And it was the Secretary of Energy who in 1994 gave away the warhead design for the W-87 warhead to a U.S. News and World reporter.

We need this bill and we need Members to vote "yes" on the bill and "no" on the motion to recommit.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Connecticut (Mr. LARSON) a freshman who is doing an outstanding job.

(Mr. LARSON asked and was given permission to revise and extend his remarks.)

Mr. LARSON. Mr. Speaker, I thank the gentleman for yielding me the time.

Mr. Speaker, I rise in strong support of this very important legislation. I want to thank the gentleman from South Carolina (Chairman SPENCE) and our great leader the gentleman from Missouri (Mr. SKELTON) for their hard work in putting together this important piece of legislation, important to the needs of the men and women in uniform.

As a freshman, I was honored to serve on the conference committee with Members of the Senate. The bill before us is maintaining a commitment made. The bill before us, as eloquently stated by the gentleman from Missouri (Mr. SKELTON) makes this truly a year of the troops. We have heard their needs. We have addressed them.

This bill provides our soldiers with a 4.8 percent pay increase, improves retirement benefits, and increases housing allowances for our military families. Most importantly for me, this bill and this committee has recognized the important and necessary role of the F-22 fighter in the Air Force Modernization and Readiness program by fully authorizing the Air Force request for \$1.8 billion in procurement funds.

The authorization of the F-22, of course, is also supported by Defense Secretary Cohen, Joint Chiefs of Staff, and most important to me, by truly the Jedi warriors of this Nation, the men and women of the United States Air Force.

I want to commend my colleagues on the committee again, especially the gentleman from South Carolina (Chairman SPENCE) and our great leader the gentleman from Missouri (Mr. SKELTON) for their strong leadership and bipartisan drafting of an excellent piece of legislation that addresses personnel, readiness, and the modernization needs of 21st century Armed Services and has truly made this a "year of the troops."

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Ohio (Mr. SAWYER).

(Mr. SAWYER asked and was given permission to revise and extend his remarks.)

Mr. SAWYER. Mr. Speaker, I rise to praise the bill and to support the narrowly focused and enormously important motion to recommit.

The unintended consequences of the proposed semi-autonomous agency simply have not been adequately vetted. While it is important to shore up our Nation's labs, we cannot destroy hard-won environmental, safety, and health standards.

In the long struggle to make our Nation secure, we have allowed it to become dangerous to our own communities and citizens. If it had been that easy to change the culture of secrecy and drift, we would have done it. Instead, we have fought long and hard to make the Department of Energy responsible to the public; and it would be irresponsible to turn back the clock now.

In the 1980s, before many of the existing safety standards were adopted, the

Fernald Uranium Processing Plant in Ohio went unchecked, leaving behind a wasteland of nuclear materials and at a cost of hundreds of millions of dollars to American taxpayers.

At the time, the DOE operated in secrecy, arguing that environmental and safety oversight would compromise national security. They promised to protect the safety of the workers and the environment in Fernald. However, DOE, prioritizing production goals and security over environmental and safety standards, did too little too late.

Creating an independent agency would turn back the clock. The problems of our Nation's labs are profound, and the importance of their work deserve a comprehensive solution.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. TRAFICANT).

Mr. TRAFICANT. Mr. Speaker, I support the bill and oppose the motion to recommit.

I want to commend the gentleman from South Carolina (Chairman SPENCE), the gentleman from Missouri (Chairman SKELTON), and the gentleman from California (Mr. HUNTER) specifically for helping me keep my language in dealing with the problem of narcotics and terrorism on our borders.

My colleagues, 90 percent of all street crime is drug related. Fifty percent of all murder is drug related. Many of our health care costs are drug related. And our military is guarding the borders all over the world while ours are wide open.

It does not mandate it, but it is time that we wage a war on drugs. For the first time in 5 years, Congress is beginning to show some attitude against this oversupply of narcotics.

I appreciate it, and I ask all Members of Congress to support this bill. It is a great bill. I thank those Members who supported my amendment.

Mr. SKELTON. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Mr. Speaker, I rise today in strong support of this conference committee report.

I want to recognize the outstanding leadership of the gentleman from South Carolina (Mr. SPENCE) and the gentleman from Missouri (Mr. SKELTON) who guided us to the point we are today.

This bill addresses the concerns of the Joint Chiefs of staff who told us earlier this year that the risk to our ability to meet our national military commitments was moderate to high.

Earlier this year, the gentleman from Missouri (Mr. SKELTON) urged our committee that this year be remembered as the "Year of the Troops," and I am very pleased that this historical conference committee report honors that pledge.

This bill contains the best compensation package for the military since the early 1980s. This bill also strengthens our national security by adding \$368

million to develop and field effective theatre and national missile defenses to counter rapidly evolving ballistic missile threats.

The conference committee took action in response to the Cox Committee recommendation for reassessment of the adequacy of the current arrangements for controlling U.S. nuclear weapons securities.

When the Secretary of Energy disagreed with portions of the proposed reorganization, the committee listened to his concerns and yielded to him on several points.

On balance, I am confident the reorganization will result in improved accountability and improved security within our nuclear weapons programs and it deserves our support.

I urge our colleagues to support the conference committee report.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I rise in opposition to the DOE reorganization proposals in this bill. These proposals are simply bad government because they damage environmental protection worker health and safety and national security.

There were a number of points that were raised by the DOE to explain why these provisions are bad government. One was the Attorney General's letter which was mentioned.

Second, the bill could degrade effective public health and safety regulation of the nuclear defense complex by weakening the Secretary's ability to direct its regulation independent of the program's internal direction. The bill could isolate the Department's national security components for meaningful departmental oversight.

The bill could degrade national security by rolling back recent actions DOE has taken to identify and flex clear responsibility and accountability in all of the DOE's national security activities, including the counterintelligence functions that were strengthened by a recent presidential directive.

And last, the bill could lead to an erosion between the strong links between the weapons laboratories and DOE science programs, making recruitment of top scientists more difficult and uncertain, thereby jeopardizing the task of sustaining the nuclear deterrent testing.

That is why we should oppose these provisions.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentleman from Alabama (Mr. RILEY).

Mr. RILEY. Mr. Speaker, I rise today in support of the Defense Authorization Conference Report.

Mr. Speaker, during the markup of H.R. 1401 by the Committee on Armed Services, I offered an amendment that would have conveyed real property at military installations closed under the BRAC at no cost to impacted communities.

This is an issue of fundamental fairness to me. Base closures can have a

disastrous effect on the affected communities.

In my own district, my largest county may lose two out of every five jobs as a result of the closure of Ft. McClellan. The last thing we need to do is to kick these communities when they are down.

Mr. Speaker, I want to commend the gentleman from South Carolina (Chairman SPENCE) and the gentleman from Colorado (Chairman HEFLEY) for addressing this important issue in the conference report. This language is terribly important to the communities in Alabama and across the country who continue to struggle to recover from the effects of a base closure.

Mr. Chairman, I appreciate the willingness to work with me on this important matter and urge my colleagues to support this conference report.

Mr. SKELTON. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. ANDREWS).

(Mr. ANDREWS asked and was given permission to revise and extend his remarks.)

□ 1215

Mr. ANDREWS. Mr. Speaker, I rise in strong support of the legislation and in opposition to the motion to recommit.

There are serious problems with the management and security of energy labs, and they need to be addressed and they are in this bill, perhaps not perfectly. But those who would support the motion to recommit say that we should wait on the rest of this bill to work those problems out. I respectfully and strongly disagree. We should not wait to reverse the unfounded, and, I think, ill-advised trend in the decline of defense spending. We should reverse that trend and increase it as this bill does. We should not wait to restore the spare parts in the airplanes and equipment that our men and women in uniform are using. We should certainly not wait to give the long overdue pay and retention benefit increases to those who serve their country.

There are serious issues that need to be worked out. There will be opportunities to work those issues out. The wise course today is to defeat the motion to recommit and enthusiastically approve the underlying legislation.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. SPENCE), and I ask unanimous consent that he be permitted to control that time.

The SPEAKER pro tempore (Mr. PEASE). Without objection, the gentleman from South Carolina (Mr. SPENCE) will control 2 additional minutes.

There was no objection.

Mr. SPENCE. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. GRANGER).

Ms. GRANGER. Mr. Speaker, I rise today in support of the fiscal year 2000 defense authorization bill and in opposition to the motion to recommit. I want to commend the gentleman from

South Carolina for his leadership on this very important legislation.

Mr. Speaker, I support this bill because of a simple principle. History is littered with the wars that everyone knew would never happen. Time and again, we have convinced ourselves that we are safe and secure in a world that is full of despots and danger, and time and again we have had to resort to blood and iron when words and good intentions failed us.

Among other things, this bill provides for better pay and better benefits for our men and women in uniform, and it allocates crucial money for our shortfalls in operations, training, and infrastructure maintenance. Finally, it will increase the pace at which our rapidly aging equipment is modernized or replaced.

Mr. Speaker, this is an important issue and this is an important bill. I urge my colleagues on both sides of the aisle to support our national defense, to support our troops and to support this bill. I urge them to vote against the motion to recommit so that we may move forward.

Mr. SPENCE. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HUNTER), the chairman of the Subcommittee on Military Procurement.

Mr. HUNTER. Mr. Speaker, I want to appeal to all of my colleagues to pay attention to what is at stake right now. We are going to be asked by the gentleman from Michigan and several other folks to go with a motion to recommit and basically open up this entire bill and put off this entire bill. That means that we have to tell those men and women in uniform, including the people that are still in the Navy which is 18,000 sailors short, that they have to wait on a 4.8 percent pay increase. We have to tell the people who are not able to fly their planes in the top gun school because they have a lack of engines that that may be put off for a while. We have to tell the people that are waiting for a full ammo supply in the Army where they are \$3.5 billion short of basic ammo that they are going to have to wait. We are going to have to tell the Marines, the 911 force, they are going to have to wait and maybe we really do not want to pass this bill today. This bill is the bare minimum and it is a mandatory necessity in this dangerous world to start to rebuild national defense.

Let me just say to my friends who have brought up the lawyer arguments that have been made by some attorneys general. I have read that language. It is very conditional. They say there may be problems with this bill. This thing passed 96-1 in the most environmentally conscious body we have got in this country, in the other body, the Senate. All of their lawyers scrubbed this thing. Nobody saw any intrusions in environmental law. I am looking at the sections right now that says that this new nuclear administration must comply with all applicable



environmental, safety and health laws and substantive requirements, section 3261.

It says that the Administrator must develop procedures to meet the requirements and the Secretary, that means Bill Richardson, Secretary of Energy, must assure that the requirements, the environmental requirements, are met. The Secretary has total control, direction and authority over this new Administrator.

Let me just lastly say, we have lost a lot of nuclear secrets. This reform stems those losses and puts the nuclear complex back on safe footing. That is important.

Pass this bill.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Mexico (Mr. UDALL).

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time.

This motion to recommit is about worker safety, DOE accountability, environmental protection and public health and safety. It is not about the military side of this bill. I support the military pay raises, pensions and all the other good provisions in the bill. But I have two comments; one on the process. The process how we got these secrecy and semiautonomous agency provisions is outrageous. There was no conference, there was no consultation, these provisions were invented in the dark of night, no hearings, the public excluded. This is not how we ought to be legislating. Sunshine is the best disinfectant.

Number two, the predecessor agency to the DOE had an abysmal record on worker safety and environmental protection. If we adopt these provisions on autonomy, we are headed back to the old days of violations of worker safety, worker rights, environmental degradation and destruction.

Vote "yes" on the Dingell motion to recommit.

Mr. SKELTON. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. SISISKY), the ranking member of the Subcommittee on Military Procurement.

(Mr. SISISKY asked and was given permission to revise and extend his remarks.)

Mr. SISISKY. Mr. Speaker, this is a strange debate. We are debating a conference report that everybody seems to agree with. I have not found anybody that said the defense bill is a bad bill or even lacking something. The problem is on a motion to recommit from my learned friend. I think I am a little older than he is but he has been here a lot longer than I have.

But what is interesting is that most of the argument is being subsumed on the Atomic Energy Commission. Now, he remembers the Atomic Energy Commission. This has nothing to do with the Atomic Energy Commission. The

Secretary of Energy still controls what we are doing here.

The other argument that they give, which is strange to me, and I know I am not the wisest guy in reading, but they keep bringing up the health and the environmental things. I am looking at page 467, section 3261, that has an outline of all the environmental things which makes the Secretary of Energy responsible. We could go into a lot of things here. Is it perfect? Probably not. But what we have done is a good start.

For one thing, we force DOE, we force them, to have a planning program, a budgeting cycle like any other agency of government. Is that not strange that they do not have it? We impose discipline so we really do not have funny money at the end of the year. It is in section 3252.

These are sensible, careful reforms. What worries me, we may not get these reforms if we vote for the motion to recommit.

Mr. Speaker, this is an important vote. Everybody agrees with the conference report that I have heard from. Let us be smart. Let us defeat the motion to recommit and give our people a bill that they are expecting and they should have.

The SPEAKER pro tempore. The gentleman from South Carolina (Mr. SPENCE) has 2 minutes remaining; the gentleman from Missouri (Mr. SKELTON) 1½ minutes; the gentleman from Michigan (Mr. DINGELL) 2½ minutes. Closing will be in the order of the gentleman from Michigan, the gentleman from Missouri, the gentleman from South Carolina.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the gentleman from Michigan for yielding me this time. I join the gentleman from Michigan (Mr. DINGELL), the gentleman from South Carolina (Mr. SPRATT) and others in opposing the reorganization of the DOE that is provided in this bill, creating a fiefdom of control of the nuclear establishment that does not include an authority line from the Secretary of Energy. It is a serious problem. Civilian control of our nuclear weapons production facilities is one of the most important responsibilities that we have here.

I speak with some experience. For nearly a decade, I helped run a DOE national laboratory. I have seen firsthand the legacy of the Atomic Energy Commission. And, as any manager will tell you, the best design for failure is to offer responsibility without authority. That is what we are doing with the Secretary of Energy here. Keeping the Secretary of Energy in the line of authority is the best way that we in Congress and that the citizens of this country can have accountable control of our nuclear establishment.

Mr. DINGELL. Mr. Speaker, I yield myself the balance of my time.

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Michigan (Mr. DINGELL) for 1½ minutes.

(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Speaker, the motion to recommit is very simple. We have heard a lot of red herrings about how this is going to jeopardize the legislation. It is not. The chairman and members of the Committee on Armed Services could convene a conference, and we could have this matter back on the floor by early next week. That is not going to delay anybody getting a pay raise or anything else. What Members are going to do if they vote for the motion to recommit is to arrange a situation where we will clarify the Secretary's authority to oversee the new agency. The Secretary will be able to deal with both the questions of health, safety, environment, environmental protection and also to deal with the questions of secrecy. That is what we really want. What the motion to recommit does is to return us to a situation where we are very close to the bipartisan agreement that was expressed in the Senate legislation. If you want a quick way to resolve this problem, let us do that, because the Senate will accept this in the snap of a finger or the beat of a heart.

I would urge my colleagues to move in the direction of seeing to it that the Congress can control the behavior of DOE, the behavior of the secrecy mavens down there in that agency and to see to it that we have openness which prevails with regard to environmental safety, health, worker safety and questions of that kind and to see to it at the same time that we preserve and protect security.

This legislation as it is now constituted does nothing, nothing, to assure additional secrecy. As a matter of fact, it returns us to those curious days when the AEC leaked like a sieve and when there were major problems in terms of the Congress knowing what was going on down there.

Vote for the motion to recommit. It is good legislation, it is careful attention to process, and it will leave the public better.

□ 1230

Mr. SKELTON. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, there is a popular television program entitled Jeopardy. Voting for the motion to recommit is entering into that game of Jeopardy because a motion to recommit that carries opens up the entire wonderfully written package for the troops should it go to conference.

I think that we should do our best to protect the pay raises, the pay table, the new barracks, the family housing, the specialty pay, the TRICARE additions. We should do our very best to protect this bill.

Mr. Speaker, it is the year of the troops. This is our tribute, the Congress of the United States' tribute to

those young men and those young women who wear the American uniform and represent us so very, very proudly wherever they may be.

Mr. SPENCE. Mr. Speaker, I yield the balance of my time to the gentleman from Texas (Mr. THORNBERRY).

The SPEAKER pro tempore (Mr. PEASE). The gentleman from Texas (Mr. THORNBERRY) is recognized for 2 minutes.

(Mr. THORNBERRY asked and was given permission to revise and extend his remarks.)

Mr. THORNBERRY. Mr. Speaker, I think there are three points really that need to be made at the conclusion of this debate. Number one is that there is no narrow motion to recommit on a conference report. We cannot send it back with an amendment. All we can do is send it back to negotiate with the Senate, and everything that is in this conference report is vulnerable then, and there is no indication we can do any better. We may do worse by the gentleman from Michigan if we get back to the negotiations with the Senate, even on the provisions that he is concerned about. There is no free vote here.

Second point that has to be emphasized is we do not change the environmental standards one inch. There are several places in this bill we specifically say the same standards that apply before apply afterwards, and as a matter of fact, I would remind this body that the language on the environment was word for word what was adopted unanimously in the other body by an amendment by Senators DOMENICI, BINGAMAN, LEVIN, LIEBERMAN, and REED, hardly a bunch of environmental extremists as some may have portrayed.

I would also like to mention that the National Governors' Association, as opposed to what has been said, do not oppose these provisions. They have expressed some concerns, we have answered them in those concerns by the letter from the chairman, and both they and the Attorney Generals Association, once we talk to them and show them the language, are backing off, and we have that in the record.

I think what it comes down to, Mr. Speaker, is that the President's own commission studies this problem and says, "You have got one of two options. You can create a whole new agency, and there are a lot of folks on our side who would like to do that, put it under DOD or a completely separate agency. Or, we can have a semi-autonomous entity within the Department of Energy which the Secretary of Energy has complete control, authority, and oversight of. That is what we chose to do in this conference report. The more moderate recommendation of the President's own commission is exactly what is adopted in this conference report."

If my colleagues look at the responsibilities of this body to provide for the country's defense, I think we have no alternative but to vote against the mo-

tion to recommit and support the conference report.

Mr. Speaker, I rise in support of this conference report. It does a lot to improve the security of the United States, and it should be supported by all members.

Because of time limits I am only going to address one portion of the bill, which is Title XXXII, the title which reorganizes the management of the nuclear weapons program in the Department of Energy. Adopting Title XXXII gives us a chance to fix a 20 year problem which has plagued our nation since the Department of Energy was first created.

Mr. Speaker, hardly anyone argues today that there is not a significant problem in the Department of Energy. Study after study, report after report have analyzed the problems at DOE for 20 years. The bottom line is that the management structure at DOE is "dysfunctional," to quote the report of the President's Foreign Intelligence Advisory Board, which has caused enormous problems, including, to some degree, the recent security lapses. But in spite of the repeated warnings and efforts at reform, little actual reform has been made.

Some recent studies have focused on security and counterintelligence. And we owe Chairman Cox and his colleagues a debt of gratitude for their important, bipartisan report. Other studies have looked at DOE's problems with large construction projects. We read just last week of a cost overrun of \$350 million and a delay of two years in the National Ignition Facility about which the Secretary of Energy was as surprised as anyone because he had been assured in June of this year that everything was on track. Other studies have focused on health and worker safety, but whatever the focus they all come back to the dysfunctional organization of DOE as a basic, fundamental problem, which has to be solved before other problems are resolved.

This bill gives us the opportunity to do something that virtually everyone who has studied the problem believes should be done, and yet no one has been able to do. It is an opportunity we should not let pass us by.

Title XXXII establishes a semi-autonomous agency within the Department of Energy called the National Nuclear Security Administration. The new NNSA will have two traits missing from DOE for the last 20 years—accountability and a clear mission.

The current situation was best described by Dr. Victor Reis, who served as the Assistant Secretary of Energy for Defense Programs from 1993 until last month. Dr. Reis testified, "The root cause of the difficulties at DOE is simply that DOE has too many disparate missions to be managed effectively as a coherent organization. The price of gasoline, refrigerator standards, Quarks, nuclear cleanup and nuclear weapons just don't come together naturally."

NNSA will have some measure of insulation from all of those other functions of DOE unrelated to national security. Thus, it can have a tighter focus on the essential work related to nuclear weapons.

Reis went on to describe the efforts of Secretary after Secretary to pull the Department together creating new cross-cutting organizations for environment, safety, health, security, information, policy, quality, and so on, but "because of all this multilayered cross cutting, there is no one accountable for the operation

of any part of the organization by the Secretary, and no Secretary has the time to lead the whole thing effectively. By setting up a semi-autonomous agency, many of these problems go away."

Previously, no one below the Secretary has been in charge of the nuclear weapons complex; no one person had the authority to make something happen; no one could be held accountable for mistakes. Title XXXII establishes a clear chain of command with definite lines of responsibility and of accountability which are essential to accomplishing the core mission of the complex and also ensuring that security, health, safety, and other issues are handled appropriately.

There are some who argue that we cannot rely on the people who do the day to day work to look after health and safety too. It's like the fox guarding the chicken coop, they say. Frankly, I am offended by the idea that the people who work at the Pantex Plant in my district and who live in the area and whose children go to school there cannot be trusted to work safely. We just have to have a management system that makes it clear what is expected of them and who holds them accountable if they disregard it.

I would also remind my colleague that for more than 40 years the Naval Nuclear Propulsion Program has had full and complete responsibility for more nuclear reactors than the Nuclear Regulatory Commission. Any of their reactors can be pulled into virtually any port in the world with no concern to the environment or safety. That kind of record and that kind of commitment is what we need in the nuclear weapons complex, and this bill helps us to accomplish it.

Dr. Reis has testified that "[t]he mission of the nuclear weapons complex is national security at its most profound and long lasting." I agree. This is not a place to play political games or worry about turf. The only thing that matters is doing what's right for the security of our country and the freedom of our children. Title XXXII and this entire bill help ensure both.

Mr. Speaker, this Title is the result of a lot of hours and work by a number of people. Senators DOMENICI, KYLE, and MURKOWSKI and their able staffs carried the burden in the Senate. In the House, I want to express my appreciation to Chairman SPENCE and Chairman HUNTER for all of their work and support on this portion of the bill. I also want to thank my colleagues, Ms. WILSON and Ms. TAUSCHER for their tireless work and persistence in making sure that this reorganization was done right. Our committee staff, particularly Dr. Andy Ellis and Robert Rangel deserve special commendation for pushing this product through the conference process.

I also can't help but note that Dr. Victor Reis, who served this country with distinction for more than 30 years in key positions lost his job because he believed that we could not continue with business as usual at the Department of Energy. His courage and patriotism in telling the Administration what they did not want to hear should be commended, and I hope that future administrations can take advantage of Dr. Reis's skill, experience, and judgment, as well as his courage and love of country.

Finally, I want to single out Clay Sell of my staff for his work, not only on this Title in this bill, but for his work on the issue of DOE management reform over the past four years. I am

very fortunate to work with many outstanding people every day, but none can outshine Clay for his hard work, intelligence, and, in this matter, pure persistence—all of which has been devoted toward enhancing the security of our nation.

Mr. SANDLIN. Mr. Speaker, I rise today in strong support for S. 1059, the Department of Defense Authorization Conference Report. I believe this bill is a step in the right direction—a step towards a strong military, heightened readiness, and a bolstered national security.

Among the bill's many critical provisions is a well-deserved and long-overdue pay raise for our military men and women in recognition of their hard work and dedication to their country. This bill provides for a 4.8 percent pay raise, .4 percent above the Administration's request. This critical pay raise provision will help ensure that increases are tied more to performance and promotion than years of service and will reduce the pay gap between military and civilian pay. Moreover, this salary increase is a step towards preventing the loss of the best and brightest men and women who find it increasingly difficult to manage on a military salary.

This legislation would also reform the military retirement system and provide service members an opportunity to choose which system better suits their individual needs. It would also extend pay and bonus authority, expand recruiting and retention, and add additional funds for military housing. In addition, this bill addresses our nation's veterans and recognizes their contribution to this country by guaranteeing their burial benefits, providing retirement flags for reservists and all the uniformed services, and restoring equity to widow's entitlement.

This conference report also adds \$2.7 billion to the procurement account for weaponry modernization, a crucial increase for improving military readiness. It adds \$2.8 billion in operations and maintenance and repair facilities and builds upon the President's proposal to increase defense spending by \$112 billion over the next six years. It also restores procurement funding for the essential F-22 fighter jet, a critical part of ensuring our military forces maintain their air superiority.

The Defense Authorization Conference Report significantly increases funding for the procurement of weapons, ammunition, and equipment, and for military construction and will enable the armed forces to modernize while maintaining a high level of readiness and training. I urge my colleagues to cast their votes in favor of a strong defense and the protection of our national security. I urge you to cast your vote in favor of improving the standard of living for our service men and women. I urge you to cast your vote in favor of this conference report, and I urge the President to sign this essential legislation.

Mr. UNDERWOOD. Mr. Speaker, I join my colleagues today in support of this Conference Report for the FY 2000 Defense Authorization Bill. This effort was bi-partisan and long overdue. The Conferees worked long and hard to tie up the loose ends and smooth out the rough edges of the Defense Authorization Bill. While everything we wanted was not achieved in Conference, this is still a very fine effort that will go a long way to ensure that our troops will get much of the pay, equipment, and infrastructure they so badly need and deserve. This bill is essential to stemming the decay in

readiness and ensuring the security of the United States and its territories.

Mr. Speaker, no doubt our citizens have by now grown accustomed to the oft repeated phrase, "we live in dangerous times." The global community is constantly erupting as it continues to adjust to the political realities of the post-Cold War structure. Africa is undergoing immeasurable suffering of disease, civil strife, and refugees crises. Asia is confronting economic calamities, unfinished revolutions, long standing rivalries, and emerging powers. South America is re-confronting Marxist guerrilla insurgencies and narcoterrorism. Europe has to deal with ethnic conflict, terrorism, and refugee influxes. The Middle East is faced with growing fundamentalist movements, terrorism, peace negotiations, and resource scarcities. The Pacific region is seeking political enfranchisement and issues of poverty. Faced with this menu of global concerns our military forces have been deployed in some 30-odd operations world-wide since the Persian Gulf War. At the same time our defense budget has been squeezed and capped arbitrarily without consideration or anticipation to the realities of America's security interests. To be sure, the time has come to re-assess the role the United States will play and to what extent our troops will be a part of that role.

Mr. Speaker, I applaud the efforts of Mr. SPENCE, Mr. WARNER, Mr. SKELTON and Mr. LEVIN in brokering a true bi-partisan bill that will begin to address many of the concerns that have been discussed here on Capitol Hill these past months.

Some of the measures that the people of Guam are concerned about have been included in this bill. In the realm of military construction, the military facilities located on Guam will benefit from over \$100 million in new construction or improvements. Most notable are the MILCON projects for the Guam Army Guard Readiness Center and the U.S. Army Reserve Maintenance Shop—both desperately needed to maintain readiness and operational capabilities. Additionally, we were able to secure language that would allow the Guam Power Authority to upgrade two military transformer substations on Guam. I would like to thank MILCON subcommittee Chairman HEFLEY and Ranking Member TAYLOR, for their wise counsel and decision in recognizing the need for these vital military projects on Guam.

I worked closely with Readiness subcommittee Chairman HERB BATEMAN on language that would make a technical correction in the economic reporting requirement for A-76 competition studies. I also worked closely with several members from both sides of the aisle to prevent the lifting of a moratorium on the outsourcing of DoD security guards. Additionally, I worked closely with Congressmen ABERCROMBIE and YOUNG to exempt Guam from any pilot program for military moving of household goods. This way Guam's small household moving market will be ensured of robust competition and protection from mainland conglomerates. We worked closely with members on both sides of the aisle to include a refinement of the BRAC laws that will permit no cost conveyances of former military property to rural communities for economic development. On a matter of particular importance to Filipino-Americans, the threat to the return of the Bells of Balangiga was abated in a compromise measure between House and Senate conferees. This victory was no small

feat and through our efforts we preserved the issue and permitted the dialogue to continue. For this effort I would like to thank, Senators INOUE and LEVIN for their support. I thank my fellow House Armed Services colleagues particularly Mr. STUMP for his willingness to hear our concerns.

Mr. Speaker, the underlying bill contains an important provision directing the Maritime Administration to report on the incidents of overseas ship repairs of U.S. flagged vessels in the Maritime Security Fleet. This was in response to the Guam Shipyard's unfair experiences with subsidized foreign competition in ship repair. It appears that the Navy in concert with the Military Sealift Command has been flouting the intent of federal law created to protect American jobs and ship repair infrastructure. This reporting requirements places the Military Sealift Command on notice that Congress is watching and will respond if necessary to gross violations or misdirected policy. I worked closely with Chairman BATEMAN, on this initiative and would like to thank him for his foresight in including this important provision.

Mr. Speaker, the underlying bill included an amendment by Mr. BEREUTER to make permanent the waivers included in the FY 1999 Defense Authorization Act that allows the Asia-Pacific Center for Security Studies (which is a component of the Defense Department's U.S. Pacific Command) to accept foreign gifts and donations to the center, and to allow certain foreign military officers and civilian officials to attend conferences, seminars and other educational activities held by the Asia Pacific Center without reimbursing the Defense Department for the costs of such activities. This Center, led by retired Marine Corps Lt. General H.C. Stackpole, is a corner-stone in the engagement program of military-to-military exchanges through out the Asia-Pacific Region. This endeavor is a vital component in the goal of strengthening our ties with both our regional allies and potential allies. I strongly urge its adoption.

Finally, the Conference report strips the most offensive aspects of the DeLay amendment that was adopted on the floor that would have prohibited constructive military to military contacts between the U.S. and the People's Republic of China. The wiser temperaments of the Conferees saw fit to recognize the vital importance of America's engagement with China and ensure that these ties remain unbroken.

I want to thank all of the Committee staff for their tireless efforts in putting this bill together. I strongly urge my colleagues to vote "yes" on the Conference Report. In doing so a vote is being cast for a stronger, more robust military and improved benefits for our troops.

Mr. WELLER. Mr. Speaker, I would like to offer a statement in support of the Defense Authorization Conference Report which includes a provision which is very important to a project in my district, the redevelopment of the Joliet Arsenal.

First, I would like to thank all of my colleagues for the assistance they have offered on this project over the past five years, and again with this Conference Report. This Conference Report contains a provision which clarifies the original intent of Congress that Will County, Illinois be given 455 acres of federal land at no cost to Will County taxpayers

to build a landfill to serve Will County residents and communities only. I gave this commitment back in 1996 when the original legislation was passed, and I am adhering to my commitment here today.

I will briefly repeat some historical points regarding the Joliet Arsenal redevelopment. When first elected to Congress in 1994, I continued the good work Congressmen O'Brien, Davis and Sangmeister had initiated to return the 23,000 acres of Arsenal property back to the Will County residents. Throughout the next year, I worked hard to pave the way for the Joliet Arsenal Ammunition Plant (JAAP) redevelopment legislation and was proud to obtain President Clinton's signature on this important bill in 1996. The redevelopment plan called for the creation of a 19,000 acre tallgrass prairie park, two industrial parks, a new national cemetery, and a county landfill.

As the author of the legislation, I embraced the vision of the original citizens Planning Commission which clearly intended for the landfill to be established as a local facility serving the needs of Will County only. It was only after a struggle that I was able to include a landfill into the redevelopment legislation at all. There were a number of Army officials and my colleagues in the Congress concerned about approving a landfill directly bordering a national park. In addition, the JAAP redevelopment was the first of several like projects around the country. Given the intense scrutiny this project was under, I assured those who had concerns that this landfill would be serving the residents of the County only. I am keeping this promise today.

Later, local officials commenced efforts to expand the Will County landfill far beyond the original Congressional intent as a County only landfill turning it into a regional landfill which would ultimately house Chicago trash. My position never wavered, as I had made many promises to my colleagues in this Congress that there would not be a regional or Chicago landfill placed next to the new home of the nation's largest veterans cemetery and the 19,000 Midewin National Tallgrass Prairie. The ultimate solution was to clarify the law to ensure that County only trash will be accepted at the landfill at the Joliet Arsenal.

Mr. Speaker, I am deeply committed to ensuring the entire Joliet Arsenal is redeveloped without delay or compromise. I am equally committed, though, to ensure the original plan is followed and the legislation's intent is carried forward. I am pleased that the provision submitted into the Defense Authorization Act will soon become law. Thanks to you and all of my colleagues for your assistance on this important project.

Mr. WELDON of Florida. Mr. Speaker, I rise in support of the conference report on S. 1059, National Defense Authorization Act for Fiscal Year 2000. I am pleased that the bill restores readiness and quality of life for our men and women in uniform.

In particular, I am pleased that the bill continues to reverse the Clinton-Gore Administration's neglect of our military. The current administration like none other has eroded morale, training, readiness, equipment, and quality of life. This bill reverses many of these trends and I commend the conferees for their actions to fulfill these commitments to our troops and military retirees.

This bill continues to add to the procurement budget to ensure that our troops are the

best equipped. We add \$2.7 billion above the Clinton-Gore Administration's request for weapons' procurement, which will build on the \$15 billion in procurements additions we have made over the past four years. I am also pleased that the bill increases military pay by 4.8 percent, .4 percent more than requested by the administration. The move to restore retirement benefits to encourage good men and women to make a career out of the military is something I have been very supportive of and am pleased that this matter is addressed in the bill.

While I am very pleased and supportive of these and many other provisions in the bill and will vote for the bill because of these provisions, I am very concerned that the conferees chose to drop an amendment that was adopted by the House on a 303-115 vote. This amendment would have increased the capacity of our national launch ranges by about 20 to 30 percent. In other words, by choosing to spend only \$7.3 million in additional money at our national launch ranges we could have prevented about nine satellite launches a year from leaving U.S. soil and instead going to China or Russia for launch.

I cannot understand why the conferees, and most notably the Armed Services Committee staff, chose to reject this modest proposal, a proposal that was supported by the Air Force, by NASA, and by a large majority of the space industry and its various associations. It was short-sighted of the committee and I am committed to having Congress revisit this issue until our launch infrastructure resources are properly attended to.

China and Russia have clearly demonstrated that they cannot be trusted with advanced technology. Just yesterday, this very House voted for a bill taking very strong action against Russia for transferring dangerous missile and weapons technology to Iran. The decision by the conferees to reject the House bill's provision that would have kept launches of U.S. built satellites on U.S. soil runs counter to the passage of the Iran Nonproliferation Act (H.R. 1883).

Furthermore, the Chinese government has proven to be no more responsible in handling advanced technology. It was the launch agreements that the Clinton Administration signed with the Chinese that lead to the Cox-Dicks Select Committee on China. It was this very decision to allow increased export of U.S. built satellites on Chinese vehicles that led to the transfer of advanced missile technology transfer to the communist military government in China. All my amendment says is let us maximize the use of our own launch facilities first. This is the best way to curb the transfer of advanced missile technology.

Mr. KUYKENDALL. Mr. Speaker, I rise in support of the Defense Authorization conference report. I had intended to engage the distinguished Chairman of the Research and Development Subcommittee, Congressman CURT WELDON, in a colloquy to clarify some language in the report, but the rules precluded it.

The Conferees authorized funds for low cost launch technology. The conference report specifically authorizes \$10 million in funding for "Low Cost Launch, including Scorpious." The Scorpious program has many supporters in Congress, it is the most advanced low cost launch system under development, and it is meeting its goals within budget. The Cox

Committee recommended that Congress should "encourage and stimulate" further expansion of the American space-launch capacity in the interest of national security. Funding the Scorpious program does this. Investment in Scorpious can lead to significant payoffs in the future in both technological efforts and cost reductions. A low cost launch capability in America will allow our nation's telecommunications companies to launch their satellites from the United States, reducing the security risks associated with overseas launches. I believe that authorizing and appropriating these funds to further develop Scorpious is money well spent.

Mr. COSTELLO. Mr. Speaker, I insert the following for the RECORD on the DOD Conference Report.

AUGUST 4, 1999.

The Honorable SPEAKER OF THE HOUSE,  
Capitol, Washington, DC.

DEAR SPEAKER HASTERT: As the House and Senate move forward with conference negotiations on the Defense Authorization bill (S. 1059), I urge your continued support of external regulation of the Department of Energy (DOE) through the Nuclear Regulatory Commission (NRC). The State of Illinois has long supported this concept.

Specifically, I urge you to oppose the adoption of language that would place the regulation of DOE's safety programs in the hands of a quasi-independent agency that would ultimately report to DOE. We believe that the continued oversight of safety by DOE will continue to diminish worker safety as it has at several facilities throughout the country in recent years.

In conclusion, I urge you to follow the path that will allow for the transfer of authority over public health and safety so that of a truly external regulator, such as the NRC. Such action would thereby allow closer regulation by the State of Illinois which works closely and in conjunction with the NRC.

Thank you, in advance, for your consideration of this important matter. Should you need additional information please contact David Kunz in my Washington office.

Sincerely,

GEORGE H. RYAN, Governor.

Mr. HASTINGS of Washington. Mr. Speaker, as the House considers the conference report for the National Defense Authorization Act for FY-2000, I would like to restate my intent on a provision I authored in last year's Defense Authorization Act, which is currently being implemented by the Department of Energy. The provision (section 3139 of PL 105-261) created the Office of River Protection ("ORP") to be headed by a "senior" DOE official who would report directly to the Assistant Secretary for Environmental Management. This individual would manage "all aspects" of the tank waste cleanup program at the Hanford site in my district. The provision also provided to the Manager of the Office of River Protection all resources "necessary" to manage the Hanford tank privatization project in an "efficient and streamlined" manner.

As sponsor of this provision of law, my intent is that the Manager of ORP should be accorded full decision making authority for planning, budgeting, acquisition, contract administration, and line safety responsibility for managing cleanup of the legacy high-level radioactive tank waste threatening the Columbia River. These specific authorities should include the power to establish a separate budget control point for all funding required for the operation and construction of the Hanford tank farm program and the privatized vitrification project. The Manager of ORP should also

be delegated the authority as head of contract activities for the purposes of carrying out the duties of the Office of River Protection.

Failing to extend these basic budget and contracting authorities to the ORP manager is clearly at odds with the provision which bestowed responsibility for managing "all aspects" of the program on the ORP Manager and provided him all resources "necessary" to carry out the program. Further, the legislation expected him to report directly to the Assistant Secretary for Environmental Management.

Further, the provision in subsections (d) and (e) required reports to Congress with an integrated management plan and updates on progress. Semi-annual reports and regular briefings by the Manager of the Office of River Protection to the Congress are entirely consistent with the reporting requirements of last year's provision. The progress reports should address in the status of the ORP, cleanup progress, expenditures, and any other issues impeding implementation of the spirit and/or legal requirements of my provision from last year's defense authorization bill.

I would like to report to the Speaker that I have expressed this intent to the Assistant Secretary and she has expressed her agreement with this interpretation.

Mr. UDALL of Colorado. Mr. Speaker, I voted for the Defense authorization bill when it was debated earlier here in the House. I did that for a number of reasons, and especially because it provided for better compensation and benefits for the men and women of our armed services.

However, I have serious concerns about a number of changes that were made to the bill in the conference committee. In particular, I am concerned about Title 32, which would reorganize the Department of Energy. I am attaching letters on this subject from Secretary Richardson and from Colorado's Attorney General, Ken Salazar. The Secretary is concerned about the potential effect of this part of the conference report on the environment at and around DOE facilities across the country—a serious concern, and one I share.

But Attorney General Salazar's concern is even more pressing for those of us from Colorado, because it relates directly to the Rocky Flats site. As his letter says, our Attorney General is "concerned that the pending legislation would delay the closure of Rocky Flats and substantially drive up cleanup costs." I take that very seriously, because I think keeping Rocky Flats on tract for cleanup and closure at the earliest practicable date is a matter of highest priority for our State.

As you know, Mr. Speaker, Title 32 of the conference report is completely new. It was not part of the bill that was considered by the House. Under these circumstances, even though others may not fully share the Attorney General's concerns on this point—or the even more far-reaching concerns of Secretary Richardson—I think that the most prudent thing for us to do is to take longer to review these reorganization proposals. Accordingly, I will vote for the motion to recommit the conference report and, if that motion does not succeed, I will vote against the conference report.

STATE OF COLORADO, DEPARTMENT  
OF LAW, OFFICE OF THE ATTORNEY  
GENERAL,

*Denver, Colorado, September 3, 1999.*

Re Preserving Colorado's Authority Over  
Cleanup of Rocky Flats.

Hon. MARK UDALL,  
*Colorado Congressional Representative,*  
*Washington, DC.*

DEAR CONGRESSMAN UDALL: I am concerned that pending legislation to reorganize the Department of Energy (DOE) may inadvertently impair state regulatory authority over DOE facilities. The reorganization provisions are in the Department of Defense FY 2000 Authorization bill as reported by the conference committee. I wanted to take a moment to explain how this proposed legislation would specifically affect Rocky Flats.

As set forth in a letter from attorneys general of more than forty states and territories, section 3261 could be used by the federal government to try to undermine the broad waivers of sovereign immunity currently in environmental laws, and exempt the National Nuclear Security Administration (NNSA) from state environmental regulations, permits, orders, penalties, agreements, and "procedural requirements." If successful, such arguments would, among other things, partially repeal the Federal Facilities Compliance Act (FFCA), which states fought so hard to pass in 1992. The FFCA clarified the sovereign immunity waiver in the federal hazardous waste law, and ensured that federal agencies engaged in the management of hazardous waste would have to comply with local, state and federal hazardous waste laws in the same manner and to the same extent as private parties. This waiver governs the on-going state regulation of Rocky Flats pursuant to the Colorado Hazardous Waste Act.

Rocky Flats is not specifically named as one of the facilities that will be transferred to the NNSA. However, under §3291(a) of the Act, "national security functions and activities performed immediately before the date of . . . this Act" by the Office of Defense Programs, the Office of Nonproliferation and National Security, or the Office of Fissile Materials Disposition will be transferred. The terms, "national security functions and activities" are not defined in the Act; however, two of these offices are currently conducting activities at Rocky Flats. Therefore, based on our preliminary analysis, it appears that at least portions of the cleanup work would be automatically transferred to NNSA. These activities are not regulated under the state hazardous waste law.

In addition, national security functions and activities performed by "nuclear weapons production facilities" are also transferred. The definition in §3281(2)(F) of "nuclear weapons production facilities" includes "[a]ny facility of the Department of Energy that the Secretary of energy, in consultation with the Administrator and the congress, determines to be consistent with the mission of the Administration." "Mission" is defined extraordinarily broadly. Similarly, §3291(b) provides authority to the Secretary of DOE to transfer any "facility, mission, or function" that the Secretary, in consultation with Congress, determines to be consistent with the mission. Under these provisions, portions of the Rocky Flats cleanup, or the entire site could be transferred to NNSA jurisdiction through a simple administrative action.

Colorado has worked very hard over the years to ensure that it retains authority over the cleanup of Rocky Flats and other federal facilities. The federal government has shown time and again that it is not up to the task of regulating its own facilities. Ob-

viously, the state has a substantial interest in ensuring that Rocky Flats is cleaned up in a manner that will protect the citizens of this state now and for centuries to come. Consequently, we are very concerned about any legislative change that could be construed to limit the regulatory authority we fought so hard to obtain through the Federal Facility compliance Act of 1992.

I am also concerned that the pending legislation would delay the closure of Rocky Flats, and substantially drive up cleanup costs. If work, or portions of work, at Rocky Flats are transferred to the NNSA, it will likely cause delays because of the need to coordinate actions between NNSA and the Office of Environmental Management. Coordination will be difficult because of NNSA's orientation toward weapons production and stockpile stewardship, and because of the NNSA's emphasis on secrecy. Delay means significant cost increases. It costs about \$1.5 million a day just to keep Rocky Flats open. In addition, DOE facilities that Rocky Flats depends on to close will be transferred to the NNSA. The main one is the Nevada Test Site, where we send low-level waste for disposal. Again, coordination with the NNSA will be a problem.

If part or all of Rocky Flats is transferred to the NNSA, delay could also be anticipated as a result of reinvention of security measures. DOE and its current contractors have made considerable progress in reviewing national security interests and tailoring security measures to appropriately address risks actually posed by nuclear materials at the site. This painstaking review has streamlined cleanup efforts by ensuring that precious resources are not wasted in complying with outmoded security measures that were not related to actual risks. Any increased security requirements at Rocky Flats will dramatically increase the time and money it takes to conduct work in the industrialized Area at Rocky Flats.

Most environmental cleanup work at Rocky Flats is currently being deferred in favor of deactivating and decommissioning the buildings. Accelerating this "D&D" work is vital to minimizing total cleanup costs because of the high cost of maintaining buildings and security. But the result is that environmental contamination cleanup is delayed. Given the significant pressures on DOE's cleanup budget, it will become increasingly difficult to ensure continued funding for these lower-risk, but still very important, activities, especially if we fail to meet our commitment that Rocky Flats will be "done" in 2006.

For decades, DOE and its predecessors operated the nuclear weapons complex under a cloak of secrecy. The sad consequence of this culture is a \$150 billion legacy of environmental contamination and aging facilities that pose risks to workers, the public and the environment. The clear intent of the reorganization provisions is to draw the cloak of secrecy over the operations of the NNSA. While we absolutely must ensure protection of national security, it would be folly to ignore the clear lesson of the past and to extend this cloak to cover DOE's environmental, safety, and health operations. Moreover, there is no threat to national security in retaining external state oversight of environmental, safety, and health operations. As we mentioned in our previous letter, Senator Rudman, in his Congressional testimony and in his Report to the President recommended that responsibilities for environment, health and safety functions remain with the DOE Offices of Environmental Management and Environment, Safety, and Health, and not be transferred to a new security administration. Undoubtedly, this recommendation was

based on the Senator's awareness of the unfortunate "environmental mortgage" created by years of self-regulation by weapons complex.

I understand that it may not be possible to address these problems before the Defense Authorization bill is enacted. If that is the case, and the bill does become law, I urge you to ensure that these concerns are addressed at the earliest possible opportunity.

Sincerely,

KEN SALAZAR,  
Attorney General.

THE SECRETARY OF ENERGY,  
Washington, DC, September 14, 1999.

#### OPPOSE DOE REORGANIZATION PROPOSALS

DEAR MEMBER OF CONGRESS: The Department of Energy reorganization provisions in the conference agreement on the pending Defense Authorization bill damage environmental protection, worker health and safety, and national security. In short, the conference report vests sweeping and unprecedented authorities in a new agency (the National Nuclear Security Administration) purportedly within the Department of Energy, which makes it impossible for any Secretary to run the Department. While I have supported the concept of a semi-autonomous agency in the past, the provisions in the conference report go far beyond what constitutes a workable relationship between the Secretary of Energy and the new agency.

I hope you will oppose these reorganization proposals so that changes can be made.

The reasons for this recommendation are:

1. As noted in a September 3rd letter from 46 State Attorneys General, the bill jeopardizes the environment at, and around, DOE facilities by potentially exempting the new agency from State environmental requirements.

2. The bill could degrade effective public health and safety regulation of the nuclear defense complex by weakening the Secretary's ability to direct its regulation independent of the program's internal direction.

3. The bill could isolate the Department's national security components from meaningful Departmental oversight, thus adding further insularity to the institutional isolation and arrogance that were faulted on security grounds in the Rudman report.

4. The bill could degrade national security by rolling back recent actions we have taken to identify and fix clear responsibility and accountability in all the Department's national security activities, including the counterintelligence functions that were strengthened according to Presidential Decision Directive 61.

5. The bill could lead to an erosion of the strong links between the weapons laboratories and the Department's science programs, making recruitment of top scientists more difficult and uncertain, thereby jeopardizing the task of sustaining the nuclear deterrent without testing.

#### THE ENVIRONMENT

In the September 3, 1999, letter mentioned above, 46 State Attorneys General wrote the House leadership urging them to oppose DOE reorganization provisions, which "would impair State regulatory authority" and would "weaken the existing internal and external oversight structure for DOE's environmental, safety and health provisions." They claim that "under well-established Supreme Court jurisprudence, section 3261 could be interpreted as a very narrow waiver of sovereign immunity, leaving the [new agency] exempt from State environmental regulations, permits, orders, penalties, agreements, and 'non-substantive requirements'."

They go on to state that the provisions in the conference report will undercut the following reforms:

The Federal Facility and Compliance Act, passed by Congress and President Bush in 1992, which clarified that states have regulatory authority over DOE's hazardous waste management and cleanup.

Creation of an internal oversight entity in DOE, the Office of Environment, Safety and Health.

Creation of DOE's Office of Environmental Management, whose mission is to safely manage DOE's wastes, surplus facilities and to remediate its environmental contamination.

No one now questions that the weapons complex during the years of the Cold War left an enormous legacy of environmental damage. DOE now oversees the largest environmental cleanup program in the world. The Secretary of Energy—with direct accountability to the President and the public—should not be constrained in his ability to direct actions through his experts to address that legacy. Yet the conference report places numerous barriers between the Secretary and the new agency, making it next to impossible for the Secretary to fulfill the environmental responsibilities of the Department of Energy.

#### HEALTH AND SAFETY

You may have read articles in the press over the past month about possible worker exposure and environmental damage at DOE's Paducah, Kentucky, site, where enriched uranium for nuclear weapons has been produced. An issue there is whether thousands of workers unwittingly handled materials tainted with plutonium and other highly radioactive materials. This summer a container at Los Alamos lab blew up, spreading Technetium-99 all over a research room. Luckily the employees were on their lunch break and no one was contaminated. At DOE's Savannah River Site in late August plutonium contamination was detected on seven workers after a repackaging incident. And at DOE's Pantex plant in Texas a fire in a nuclear weapons disassembly facility led to a recent \$82,000 civil penalty for the DOE contractor.

The Secretary of Energy must be held responsible for investigating these incidents and preventing accidents in the future, yet the DOE reorganization proposal severely undermines my ability to ensure basic health and safety protection for workers.

#### NATIONAL SECURITY

As you know, the Department of Energy is responsible for our nuclear weapons stockpile. A more profound responsibility you will not find in government. Yet the DOE reorganization proposal all but severs the connection between the Secretary of Energy and the program which oversees the stockpile. It is critical that there be a seamless policy and management connection between the President, the Secretary of Energy and the program which develops nuclear weapons.

#### COUNTERINTELLIGENCE AND SECURITY

Presidential Decision Directive 61, in which the President, after receiving extensively considered advice from the intelligence community, determined that the nation's intelligence, counterintelligence and security responsibilities regarding nuclear matters must be consolidated directly under the Secretary of Energy. The report of the Select Committee led by Chairman Cox and Ranking member Dicks on Chinese espionage emphasized that these responsibilities must be placed at the highest level in the Department. The DOE reorganization proposal would overrule these judgments by establishing counterintelligence and security offices in both the Department of Energy and the new agency. These dual offices would inevitably create confused lines of authority,

undermining an aggressive, professional counterintelligence and security effort.

#### PROCESS

Finally these extensive reorganization provisions will be presented to the house for the first time in a conference report—no hearings, no floor debate during House passage and no conference debate. They were formulated and adopted behind closed doors by the conferees.

I hope you oppose these reorganization proposals in the Defense conference report. If you have any questions, please do not hesitate to call me.

Yours sincerely,

BILL RICHARDSON.

Mr. HEFLEY. Mr. Speaker, I rise in strong support of the conference report to accompany S. 1059, the National Defense Authorization Act for fiscal year 2000. This legislation represents a significant improvement over the defense program presented to the Congress earlier this year by the Administration. It has been shepherded through the House and through the conference process by Republicans and Democrats with a deep desire to keep faith with the men and women in uniform who defend this Nation. Our bipartisan efforts have previously received overwhelming support in this House and this conference report also deserves such support.

This legislation will provide the military equipment, training, pay and benefits, and adequate living and working conditions that is required to support the Nation's defense effort.

As the Chairman of the Subcommittee on Military Installations and Facilities, I can assure the House that the conferees worked hard to address the impact of inadequate facilities and military housing on military retention and readiness. And, we have fully funded the most critical items for the coming year.

S. 1059, like the legislation that passed the House earlier this year, rejects the incremental funding of military construction projects proposed by the Department of Defense. That scheme clearly was not in the interest of the taxpayer. It would have led to a delay in the delivery of needed facilities and would certainly have increased their cost.

Frankly, the Department of Defense left the Congress with a broken military construction program for fiscal year 2000. To cite but one example, the conferees needed to add nearly \$1.1 billion to the budget to adequately fund the Department's request to construct or renovate over 6,200 units of military family housing and begin the construction or renovation of 43 barracks, dormitories, and BEQs for the single enlisted—a requirement for which only \$313 million was requested. This housing must be built and occupied as soon as possible and only full funding can accomplish that. In addition, the conferees agreed to fund an additional \$136 million for 14 other military housing for both families and the single enlisted to further alleviate the continuing military housing crisis.

While we could not fix all of the problems associated with the unfunded military requirements that continue to pile up due to the broad inattention of the Department to critical infrastructure upgrades, we have produced a good bill.

From improving military infrastructure and ensuring continued access to critical military training areas, to a significant effort to enhance pay and benefits, to continuing our efforts to modernize the Nation's arsenal, and to



protecting programs vital to the national security, S. 1059 is comprehensive defense legislation that meets the real needs confronted everyday by ordinary Americans who are asked by their country to do extraordinary things on an almost daily basis. The men and women who volunteer—and I stress volunteer—to defend the liberty of this Nation deserve this bill. They deserve your vote. I urge every member to see this bill for what it is—that is, a meaningful and serious effort to deal comprehensively with our defense problems. Republicans and Democrats stood together to develop this legislation and we should continue to stand together to send this legislation to the President for his signature.

Mr. SPRATT. Mr. Speaker, I strongly support the vast majority of this bill, particularly the pay and retirement provisions. But this good bill is marred by some of the text that sets up a National Nuclear Security Administration as a semi-autonomous agency within the Department of Energy. I have reservations about the way these provisions were inserted into the bill with little discussion among the Members of the Conference Committee, and I have reservations about the substance of some of these provisions.

I will not speak on the process of the conference at length, but I cannot dismiss it because I cannot remember the Congress acting on such an important matter with so little information and discussion among the Members of the conference committee. Neither the House nor the Senate Defense Authorization bill contained language requiring a comprehensive restructuring of the Department of Energy, yet we ended up with about 50 pages worth of text. We did have Senator Rudman testify before the committee prior to conference, but we did not take testimony from the Energy Department itself, or from the old senior statesmen of the labs and nuclear weapons complex, men like Johnny Foster or Harold Agnew. The legislation that the conference committee ultimately produced was not vetted in any meaningful manner among the Members, the Administration, or outside experts. This is not a good process for an important piece of national security legislation.

My first and foremost concern on the substance of the legislation is that we have blurred the lines of accountability when it comes to preventing and ferreting out future espionage at our nuclear labs and weapons complex. I think one thing we can all agree on is that counterintelligence requires a clear line of command and accountability. A clear chain of command was at the heart of Presidential Decision Directive 61, which the Cox Committee unanimously recommended be implemented. This legislation contradicts PDD 61 by setting up two different counterintelligence offices with overlapping responsibilities, and no clear direction on how the offices are supposed to interface with each other. The same problem exists in the respect to dual Inspectors General. I find it ironic that the restructuring provisions fail in what should have been its top priority: setting up clear lines of command and accountability on counterintelligence.

My second and more general concern is that the Secretary's ability to conduct oversight of the complex could be seriously hampered by this legislation. We already know that the price of no oversight is a legacy of contaminated sites that will cost hundreds of billions to

clean up. Revelations about contamination at Paducah show that we cannot disregard the health and safety concerns for workers in the nuclear weapons complex and the communities that surround these sites. The history of the last few decades tells us that the nuclear weapon sites and activities of the Department of Energy require more sunshine, more scrutiny, more oversight, not less. Any Secretary of Energy must have strong oversight authority, and I fear that this legislation detracts from rather than adding to the Secretary's oversight powers.

Having criticized these provisions, let me say that I do not think they were drafted with bad intent. But they were drafted hastily, without adequate hearings, with no vetting among outside authorities, without the benefit of constructive criticism that comes in the mark-up process, and without any discussion among members of the conference committee. The best thing to do is to vote for this motion to recommit, cut out Title XXXII, and then pass the Authorization Act so that the pay raise for our troops is not delayed. We will have that opportunity when at the end of debate when Mr. DINGELL offers a motion to recommit. If we pass that motion, we can then rework the reorganization provisions in Title XXXII and bring them back to the House in a stand-alone bill, ensuring that our legislation will safeguard our nuclear security without returning us to the days when we operated a nuclear weapons complex with next to no responsible oversight.

Mr. RYUN of Kansas. Mr. Speaker, American military personnel and their families are making great sacrifices to protect the freedoms of this nation. The increased pace of peacekeeping and humanitarian operations, combined with declining defense budgets, is severely degrading the quality-of-life of our military personnel.

Mr. Speaker, the current decline in the military's ability to recruit and retain quality personnel can be directly attributed to the armed forces' declining quality-of-life.

S. 1059, the Fiscal Year 2000 national Defense Authorization Act Conference report attacks the quality-of-life problems of today's military personnel by:

Providing a 4.8 percent across-the-board pay raise.

Improving retirement benefits by reforming and enhancing the retirement pay benefit.

Initiating a Thrift Savings Plan for active duty and reserve personnel.

Reducing out-of-pocket costs for housing by adding \$225 million to the basic allowance for housing (BAH) account.

Ensuring that military personnel live and work in quality facilities by adding over \$3 billion to the President's underfunded military construction programs.

Mr. Speaker, America's military personnel and their families are suffering from too many years of "doing more with less." Congress must help remove the pressures felt by America's military personnel who put their lives on the line everyday to protect this nation's freedoms. I urge my colleagues to vote Yes on the Conference Report to S. 1059.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered on the conference report.

There was no objection.

#### MOTION TO RECOMMIT

Mr. DINGELL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. DINGELL. Absolutely.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. DINGELL moves that the conference report be recommitted to the committee of conference with instructions to the House conferees that they insist on striking all provisions within Title XXXII that limit any existing authority of the Secretary to supervise, manage and direct the National Nuclear Security Administration and all its personnel, to retain authority to delegate that authority to any officer or employee of the Department with respect to such particular subject matter areas and activities as the Secretary determines from time to time, to otherwise retain with respect to the National Nuclear Security Administration all management authorities provided by the Department of Energy Organization Act as though that Administration was established by that Act, to have authority to reorganize organizational units reporting directly to the Secretary governed by just the first sentence of section 643 of that Act (42 U.S.C. 7253), and to retain all authority previously provided by section 93 of the Atomic Energy Act of 1954 (42 U.S.C. 2122a) to determine governance of Special Access Programs, including waiver of congressional notification requirements as specified by law.

The SPEAKER pro tempore. The motion is not debatable.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. DINGELL. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of agreeing to the conference report.

The vote was taken by electronic device, and there were—yeas 139, nays 281, not voting 13, as follows:

[Roll No. 423]

YEAS—139

Ackerman	Clyburn	Gephardt
Baird	Conyers	Gonzalez
Baldwin	Costello	Gordon
Barrett (WI)	Coyne	Gutierrez
Barton	Crowley	Hall (OH)
Becerra	Cummings	Hall (TX)
Bentsen	Davis (FL)	Hill (IN)
Berkley	Davis (IL)	Hinchee
Berman	DeFazio	Holt
Berry	DeGette	Hooley
Bishop	Delahunt	Inslee
Bliley	DeLauro	Jackson-Lee
Blumenauer	Deutsch	(TX)
Bonior	Dingell	John
Borski	Dixon	Jones (OH)
Boucher	Doggett	Kanjorski
Boyd	Doyle	Kildee
Brown (FL)	Engel	Kilpatrick
Brown (OH)	Eshoo	Kind (WI)
Capps	Evans	Klecza
Capuano	Farr	Klink
Cardin	Filner	Kucinich
Carson	Frank (MA)	LaFalce



Lantos Moran (VA) Sensenbrenner  
 Lee Nadler Serrano  
 Levin Napolitano Slaughter  
 Lewis (GA) Neal Spratt  
 Lofgren Oberstar Stabenow  
 Lowey Obey Stark  
 Luther Olver Strickland  
 Maloney (CT) Owens Stupak  
 Markey Pallone Thompson (CA)  
 Martinez Pastor Thurman  
 Matsui Payne Tierney  
 McCarthy (MO) Petri Towns  
 McCarthy (NY) Phelps Udall (CO)  
 McDermott Porter Udall (NM)  
 McGovern Rahall Velazquez  
 McNulty Rangel Vento  
 Meehan Rivers Visclosky  
 Meek (FL) Rothman Watt (NC)  
 Meeks (NY) Roybal-Allard Waxman  
 Menendez Rush Weiner  
 Miller, George Sabo Woolsey  
 Minge Sanders Wu  
 Moakley Sawyer Wynn  
 Moore Schakowsky

## NAYS—281

Abercrombie Emerson Largent  
 Aderholt English Larson  
 Allen Etheridge Latham  
 Andrews Everett LaTourette  
 Archer Ewing Lazio  
 Arney Fattah Leach  
 Bachus Fletcher Lewis (CA)  
 Baker Foley Lewis (KY)  
 Baldacci Forbes Linder  
 Ballenger Ford Lipinski  
 Barcia Fossella LoBiondo  
 Barr Fowler Lucas (KY)  
 Barrett (NE) Franks (NJ) Lucas (OK)  
 Bartlett Frelinghuysen Maloney (NY)  
 Bass Frost Manzullo  
 Bateman Gallegly Mascara  
 Bereuter Ganske McCollum  
 Biggert Gejdenson McCrery  
 Bilbray Gekas McHugh  
 Billakis Gibbons McInnis  
 Blagojevich Gilchrist McIntosh  
 Blunt Gillmor McIntyre  
 Boehlert Gilman McKeon  
 Boehner Goode Metcalf  
 Bonilla Goodlatte Mica  
 Bono Goodling Miller (FL)  
 Boswell Goss Miller, Gary  
 Brady (PA) Graham Mink  
 Brady (TX) Granger Mollohan  
 Bryant Green (TX) Moran (KS)  
 Burr Green (WI) Morella  
 Burton Greenwood Murtha  
 Buyer Gutknecht Myrick  
 Callahan Hansen Nethercutt  
 Calvert Hastings (WA) Ney  
 Camp Hayes Northup  
 Campbell Hayworth Norwood  
 Canady Hefley Nussle  
 Cannon Herger Ortiz  
 Castle Hill (MT) Ose  
 Chabot Hilleary Oxley  
 Chambliss Hilliard Packard  
 Chenoweth Hinojosa Pascrell  
 Clay Hobson Paul  
 Clement Hoeffel Pease  
 Coble Hoekstra Peterson (MN)  
 Coburn Holden Peterson (PA)  
 Collins Horn Pickering  
 Combest Hostettler Pickett  
 Condit Houghton Pitts  
 Cook Hoyer Pombo  
 Cooksey Hulshof Pomeroy  
 Cox Hunter Portman  
 Cramer Hutchinson Quinn  
 Crane Hyde Radanovich  
 Cubin Isakson Ramstad  
 Cunningham Istook Regula  
 Danner Jackson (IL) Reyes  
 Davis (VA) Jenkins Reynolds  
 Deal Johnson (CT) Riley  
 DeLay Johnson, E. B. Rodriguez  
 DeMint Johnson, Sam Roemer  
 Diaz-Balart Jones (NC) Rogan  
 Dickey Kaptur Rogers  
 Dicks Kasich Rohrabacher  
 Dooley Kelly Roukema  
 Doolittle Kennedy Royce  
 Dreier King (NY) Ryan (WI)  
 Duncan Knollenberg Ryun (KS)  
 Dunn Kolbe Salmon  
 Edwards Kuykendall Sanchez  
 Ehlers LaHood Sandlin  
 Ehrlich Lampson Sanford

Saxton Souder Traficant  
 Scarborough Spence Turner  
 Schaffer Stearns Upton  
 Scott Stenholm Walden  
 Sessions Stump Walsh  
 Shadegg Sununu Wamp  
 Shays Sweeney Watkins  
 Sherman Talent Watts (OK)  
 Sherwood Tancredo Weldon (FL)  
 Shimkus Tanner Weldon (PA)  
 Shows Tauscher Weller  
 Shuster Tauzin Wexler  
 Simpson Taylor (MS) Weygand  
 Sisisky Taylor (NC) Whitfield  
 Skeen Terry Wicker  
 Skelton Thomas Wilson  
 Smith (MI) Thompson (MS) Wise  
 Smith (NJ) Thornberry Wolf  
 Smith (TX) Thune Young (AK)  
 Smith (WA) Tiahrt Young (FL)  
 Snyder Toomey

## NOT VOTING—13

Clayton Millender- Ros-Lehtinen  
 Hastings (FL) McDonald Shaw  
 Jefferson Pelosi Vitter  
 Kingston Price (NC) Waters  
 McKinney Pryce (OH)

## □ 1256

Messrs. GEJDENSON, RADANOVICH and SHAYS changed their vote from “yea” to “nay.”

Messrs. BAIRD, DAVIS of Illinois, EVANS, MARTINEZ and Ms. JACKSON-LEE of Texas changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. QUINN). The question is on the conference report.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

The conference report was agreed to. Without objection the motion to reconsider was laid on the table.

There was no objection.

## RECORDED VOTE

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for a recorded vote.

Without objection, a recorded vote was ordered.

There was no objection.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 375, noes 45, not voting 13, as follows:

[Roll No. 424]

## AYES—375

Abercrombie Biggert Callahan  
 Ackerman Bilbray Calvert  
 Aderholt Bilirakis Camp  
 Allen Bishop Campbell  
 Andrews Blagojevich Canady  
 Archer Blumenauer Cannon  
 Arney Blunt Capps  
 Bachus Boehlert Cardin  
 Baird Boehner Carson  
 Baker Bonilla Castle  
 Baldacci Bonior Chabot  
 Ballenger Bono Chambliss  
 Barcia Borski Chenoweth  
 Barr Boswell Clay  
 Barrett (NE) Boucher Clayton  
 Bartlett Boyd Clement  
 Bass Brady (PA) Clyburn  
 Bateman Brady (TX) Coble  
 Becerra Brown (FL) Coburn  
 Bentsen Brown (OH) Collins  
 Bereuter Bryant Combest  
 Berkley Burr Condit  
 Berman Burton Cook  
 Berry Buyer Cooksey

Callahan Calvert Camp Campbell Canady Cannon Capps Cardin Carson Castle Chabot Chambliss Chenoweth Clay Clayton Clement Clyburn Coburn Collins Combest Condit Cook Cooksey

Hill (IN) Hill (MT) Hilleary Hilliard Hinchey Hinojosa Hobson Hoeffel Hoekstra Holden Hooley Horn Hostettler Houghton Hoyer Hunter Hutchinson Hyde Inslee Isakson Istook Jackson-Lee (TX)

Johnson (CT) Johnson, E. B. Johnson, Sam Jones (NC) Kaptur Kasich Kelly Kennedy King (NY) Knollenberg Kolbe Kuykendall LaHood Lampson

Largent Larson Latham LaTourette Lazio Leach Lewis (CA) Lewis (KY) Linder Lipinski LoBiondo Lucas (KY) Lucas (OK) Maloney (NY) Manzullo Mascara McCollum McCrery McHugh McInnis McIntosh McIntyre McKeon Metcalf Mica Miller (FL) Miller, Gary Miller, George Mink Moakley Mollohan Moore Moran (KS) Moran (VA) Morella Murtha Myrick Napolitano Neal Nethercutt Ney Northup Norwood Nussle Olver Ortiz Owens Oxley Packard Pallone Pascrell Pastor Pease Peterson (MN) Peterson (PA) Phelps Pickering Pickett

Pombo Pomeroy Porter Portman Quinn Radanovich Rahall Ramstad Regula Reyes Reynolds Riley Rodriguez Roemer Rogan Rogers Rohrabacher Roukema Royce Ryan (WI) Ryun (KS) Salmon Sanchez Sandlin Sanford

Pitts Pombo Pomeroy Porter Portman Quinn Radanovich Rahall Ramstad Regula Reyes Reynolds Riley Rodriguez Roemer Rogan Rogers Rohrabacher Rothman Roukema Royce Rush Ryan (WI) Ryun (KS) Salmon Sanchez Sandlin Sanford

Saxton Souder Traficant Scarborough Spence Turner Schaffer Stearns Stenholm Stump Sununu Sweeney Watkins Talent Tancredo Weldon (FL) Weldon (PA) Weller Wexler Wolf Young (AK) Young (FL)

Costello Cox Coyne Cramer Crane Crowley Cubin Cummings Cunningham Danner Davis (FL) Davis (VA) Deal Delahunt DeLauro DeLay DeMint Deutsch Diaz-Balart Dickey Dicks Dixon Doggett Dooley Doolittle Doyle Dreier Duncan Ehrlich Emerson Engel English Eshoo Etheridge Evans Everett Ewing Farr Fattah Fletcher Foley Forbes Fossella Fowler Franks (NJ) Frelinghuysen Frost Gallegly Ganske Gejdenson Gekas Gephardt Gibbons Gilchrist Gillmor Gilman Gonzalez Goode Goodlatte Gordon Goss Graham Granger Green (TX) Greenwood Gutknecht Hall (OH) Hall (TX) Hansen Hastings (WA) Hayes Hayworth Hefley Herger Hill (IN) Hill (MT) Hilleary Hilliard Hinchey Hinojosa Hobson Hoeffel Hoekstra Holden Hooley Horn Hostettler Houghton Hoyer Hunter Hutchinson Hyde Inslee Isakson Istook Jackson-Lee (TX)

Jenkins John Johnson (CT) Johnson, E. B. Johnson, Sam Jones (NC) Jones (OH) Kanjorski Kaptur Kasich Kelly Kennedy Kildee Kilpatrick Kind (WI) King (NY) Kleczka Klink Knollenberg Kolbe Kuykendall LaFalce LaHood Lampson Lantos Largent Larson Latham LaTourette Leach Levin Lewis (CA) Lewis (GA) Lewis (KY) Linder Lipinski LoBiondo Lofgren Lucas (KY) Lucas (OK) Luther Maloney (CT) Maloney (NY) Manzullo Martinez Mascara Matsui McCarthy (MO) McCarthy (NY) McCollum McCrery McDermott McGovern McHugh McInnis McIntosh McIntyre McKeon McNulty Meehan Meek (FL) Meeks (NY) Menendez Metcalf Mica Miller (FL) Miller, Gary Miller, George Mink Moakley Mollohan Moore Moran (KS) Moran (VA) Morella Murtha Myrick Napolitano Neal Nethercutt Ney Northup Norwood Nussle Olver Ortiz Owens Oxley Packard Pallone Pascrell Pastor Pease Peterson (MN) Peterson (PA) Phelps Pickering Pickett

Pitts Pombo Pomeroy Porter Portman Quinn Radanovich Rahall Ramstad Regula Reyes Reynolds Riley Rodriguez Roemer Rogan Rogers Rohrabacher Rothman Roukema Royce Rush Ryan (WI) Ryun (KS) Salmon Sanchez Sandlin Sanford

Wilson  
Wise  
Wolf

Woolsey  
Wynn  
Young (AK)

Young (FL)

## NOES—45

Baldwin  
Barrett (WI)  
Barton  
Bliley  
Capuano  
Conyers  
Davis (IL)  
DeFazio  
DeGette  
Dingell  
Ehlers  
Filner  
Frank (MA)  
Gutiérrez  
Holt

Jackson (IL)  
Kucinich  
Lazio  
Lee  
Lowey  
Markey  
McKinney  
Minge  
Nadler  
Oberstar  
Obey  
Paul  
Payne  
Pelosi  
Petri

Rangel  
Rivers  
Sabo  
Sanders  
Schakowsky  
Sensenbrenner  
Shays  
Stark  
Towns  
Udall (CO)  
Vento  
Visclosky  
Waxman  
Weiner  
Wu

## NOT VOTING—13

Dunn  
Edwards  
Green (WI)  
Hastings (FL)  
Hulshof

Jefferson  
Kingston  
Millender-  
McDonald  
Price (NC)

Pryce (OH)  
Ros-Lehtinen  
Roybal-Allard  
Shaw

□ 1307

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GREEN of Wisconsin. Mr. Speaker, on rollcall No. 424, I was unavoidably detained on House business of critical importance to Wisconsin. Had I been present, I would have voted "aye."

## GENERAL LEAVE

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER pro tempore (Mr. QUINN). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

# PROVIDING FOR CONSIDERATION OF H.R. 1655, DEPARTMENT OF ENERGY RESEARCH, DEVELOPMENT, AND DEMONSTRATION AUTHORIZATION ACT OF 1999

Mr. HASTINGS of Washington. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 289 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 289

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1655) to authorize appropriations for fiscal years 2000 and 2001 for the civilian energy and scientific research, development, and demonstration and related commercial application of energy technology programs, projects, and activities of the Department of Energy, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed

one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Science. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for purposes of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Science now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. The Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Members may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

The SPEAKER pro tempore. The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, for the purpose of the debate only, I yield the customary 30 minutes to the distinguished gentleman from Ohio (Mr. HALL), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, H. Res. 289 would grant H.R. 1655, the Department of Energy Research, Development and Demonstration Authorization Act of 1999, an open rule. The rule provides for 1 hour of general debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science.

The rule provides that the bill shall be open to amendment by section, and it allows the Chairman of the Committee of the Whole to accord priority in and recognition to Members who have preprinted their amendments in the CONGRESSIONAL RECORD.

The rule also allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill and to reduce voting time to 5 minutes on a postponed question if the vote follows a 15-minute vote. Finally, the rule provides one motion to recommend, with or without instructions.

Mr. Speaker, the Department of Energy, Research Development and Demonstration Authorization Act of 1999 authorizes the civilian energy and scientific research and development programs of the Department of Energy for fiscal years 2000 and 2001. The bill was reported favorably by the Committee on Science by a vote of 31-to-1.

Basic scientific research is the source of the new technologies and industries that will drive our Nation's economy in the next century. If America is to continue to enjoy a rising standard of living and a healthy economy, the United States must continue to be a leader in basic scientific research. The Federal Government has long had an important role to play in supporting these research programs, many of which are far too expensive for any single company or institution to support. H.R. 1655 recognizes the need for an aggressive research effort at the department of energy which has the third largest basic research program in the Federal Government, exceeded only by the National Institutes of Health and the National Science Foundation.

Specifically, Mr. Speaker, over the next 2 years, the bill would authorize \$885 million for research on energy supply; \$5.2 billion for energy physics and science; \$825 million for fossil energy research and development; and \$1 billion for energy conservation research. Furthermore, it should be noted that the Committee on Science has provided clear direction to the Department of Energy that this funding be awarded based on merit and should be used to fund research, not departmental administration.

Finally, the Congressional Budget Office estimates that H.R. 1655 would cost approximately \$8 billion in budget authority and \$8.25 billion in outlays over the next 2 years.

The Committee on Rules was pleased to grant the request of the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman of the Committee on Science, for an open rule on H.R. 1655, and accordingly, I encourage my colleagues to support both H. Res. 289 and the underlying bill.

Mr. Speaker, I reserve the balance of my time.

□ 1315

Mr. HALL of Ohio. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is an open rule, and will allow full and fair debate on the Department of Energy Research, Development, and Demonstration Authorization Act of 1999.

As my colleague, the gentleman from Washington (Mr. HASTINGS) has described, this rule provides for 1 hour of general debate, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Science.

The rule provides for amendments under the 5-minute rule, which is the normal amending process in the House.